

Adopted

12/17/96

TOWN OF RIVERHEAD

Resolution # 932

RESOLUTION AUTHORIZING ISSUANCE OF ADDITIONAL \$30,000 OF SERIAL BONDS TO PAY ADDITIONAL COSTS OF DEMOLITION ON PROPERTIES KNOWN AS JUDGE BELFORD'S INN & CORTLAND HOUSE

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 17, 1996, at 2 o'clock P.M., Prevailing Time.

The meeting was called to order by SUPERVISOR STARK, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by

COUNCILMAN PRUSINCOWSKI who moved its adoption, seconded by

COUNCILMAN LULL, to-wit:

BOND RESOLUTION DATED DECEMBER 17, 1996.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$30,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY ADDITIONAL COSTS OF THE DEMOLITION OF EXISTING BUILDINGS ON THE REAL PROPERTY COMMONLY KNOWN AS JUDGE BELFORD'S INN AND THE CORTLAND HOUSE IN AND FOR SAID TOWN.

WHEREAS, by bond resolution dated September 20, 1994, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of \$50,000 serial bonds of said Town, among other things, to pay the cost of the demolition of existing buildings on the real property commonly known as Judge Belford's Inn and the Cortland House to be acquired by the Town; and

WHEREAS, it has now been determined that the maximum estimated cost of the aforescribed demolition is \$80,000, an increase of \$30,000 over that previously authorized; and

WHEREAS, is it now desired to provide for the issuance of an additional \$30,000 serial bonds of said Town to pay additional costs of such demolition; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the demolition of existing buildings on the Town-owned real property commonly known as Judge Belford's Inn and the Cortland House, in and for the Town of Riverhead, Suffolk County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$30,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

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Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be \$80,000, and that the plan for the financing thereof is as follows:

- a. By the issuance of the \$50,000 serial bonds of said Town authorized to be issued pursuant to bond resolution dated September 20, 1994; and
- b. By the issuance of the additional \$30,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 12-a of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five years, computed from August 8, 1995, the date of issuance of the first bond anticipation note issued for such specific object or purpose.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the

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payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

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Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Sections 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in full in The Suffolk County Life, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

- Supervisor Stark _____ VOTING _____
- Councilman Prusinowski VOTING _____
- Councilman Lull _____ VOTING _____
- Councilman Kwasna _____ VOTING _____
- Councilman Wittmeier VOTING _____

The resolution was thereupon declared duly adopted.

* * * *

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on December 17, 1996, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	—	<u>Date given</u>
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I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on December ____, 1996.

Town Clerk

CORPORATE
SEAL)

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.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on _____ember 1, 1996, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: Riverhead, New York
December _____, 1996.

Town Clerk

TOWN OF RIVERHEAD
Resolution # 933

Adopted

ORDER ESTABLISHING AN EXTENSION TO THE RIVERHEAD
SEWER DISTRICT (COMMERCIAL SEWER DISTRICT EXTENSION)

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 17, 1996, at 2:00 p.m. o'clock p.m. prevailing time.

PRESENT:

JAMES R. STARK
Supervisor

VICTOR J. PRUSINOWSKI
Councilman

JAMES B. LULL
Councilman

MARK A. KWASNA
Councilman

OTTO WITTMEIER
Councilman

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

----- :
In the Matter :
of :
The establishment of a proposed :
Extension to the Riverhead Sewer :
District in the Town of Riverhead, :
County of Suffolk, New York, to be :
known as the Commercial Sewer District :
Extension to the Riverhead Sewer District :
of the Town of Riverhead, Suffolk County :
New York :
----- :

FINAL ORDER

WHEREAS, the town Board of the Town of Riverhead, Suffolk County, New York, has heretofore duly caused a map, plan and report, including an estimate of cost, to be prepared by a competent engineer, duly licensed by the State of New York, which have been files in the office of the Town Clerk of said Town in

relation to the establishment of an extension to the Riverhead Sewer District in said Town, to be known as The Commercial Sewer District Extension to the Riverhead Sewer District;

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation 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, the improvements proposed for said Extension will be the purchase and installation of force main, gravity sewer lines and trunk lines, and the construction of two new pump stations, together with reconstruction of existing pump stations and sewer lines within the existing Riverhead Sewer District as necessitated by the establishment of the Extension, including original furnishings, equipment, machinery, apparatus, appurtenances, and other necessary incidental improvements and expenses in connection therewith, said improvements to be operated and owned by said Town;

WHEREAS, the aggregate maximum amount proposed to be expended for said improvements is \$5,267,100; and the method of financing the cost of said improvements shall be by the issuance of a maximum aggregate face amount of \$5,267,100 serial bonds of said Town maturing in annual installments over a period not exceeding forty

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years, such bonds to be payable from assessments levied upon the several lots and parcels of land within said Extension which the Town Board shall determine and specify to be especially benefited by the improvements, an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds, and

WHEREAS, an order was duly adopted by said Town Board on June 13, 1996, reciting a description of the boundaries of said proposed Commercial Sewer District Extension to the Riverhead Sewer District, the improvements proposed therefor, the maximum amount proposed to be expended for said improvements, the proposed method of financing to be employed, the fact that said map, plan and report were on file in the Town Clerk's office for public inspection, and specifying the 1st day of July, 1996, at 1:00 o'clock P.M., Prevailing Time, at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the subject thereof concerning the same;

WHEREAS, such order was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law and

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proof of such publication and posting has been duly presented to said Town Board;

WHEREAS, said public hearing was duly held at the time and place set forth in said order, as aforesaid, at which time all persons desiring to be heard were duly heard;

WHEREAS, following said public hearing, and based upon the evidence given thereat, said Town Board on July 2, 1996, duly adopted a resolution determining in the affirmative all of the questions set forth in subdivision 1 of Section 209-e of the Town Law and approving the establishment of said Commercial Sewer District Extension to the Riverhead Sewer District, such order being adopted subject to permissive referendum;

WHEREAS, notice of the adoption of said resolution was duly published and posted in the manner provided by applicable provisions of the Town Law, and proof of said publication and posting has been duly presented to this Town Board;

WHEREAS, the period of time for the submission and filing of a petition against said resolution and requesting a referendum in connection therewith elapsed without such a petition being submitted and filed; and

WHEREAS, the estimated cost of hook-up fees to the typical property in the Extension is \$24,424 and the estimated cost of hook-up fees to the typical one or two family home in the Extension is \$0.00, there being no such properties in the Extension; and

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WHEREAS, the estimated cost of the Extension to the typical property therein is \$1,878 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid, and the estimated cost of the Extension to the typical one or two family home therein is \$0.00 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid, there being no such properties in the Extension; and

WHEREAS, a detailed explanation of the manner by which were computed said estimated costs of hook-up fees and first year costs to the typical property and typical one or two family homes in said Extension, has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, based upon such estimated costs and fees, an application to the Office of the State Comptroller was required and was duly made;

WHEREAS, the State Comptroller approved said application to establish the Commercial Sewer District Extension to the Riverhead Sewer District by order dated December 3, 1996 which order is on file in the Office of the Town Clerk where the same is available during regular office hours for examination by any person interested in the subject matter thereof;

NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. The Commercial Sewer District Extension to the Riverhead Sewer District, in the Town of Riverhead, Suffolk County, New York, is hereby established, to be bounded and described as set forth in Appendix A attached hereto and made a part hereof.

Section 2. The purchase and installation of force main, gravity sewer lines and trunk lines, and the construction of two new pump stations, together with reconstruction of existing pump stations and sewer lines within the existing Riverhead Sewer District as necessitated by the establishment of the Extension, including original furnishings, equipment, machinery, apparatus, appurtenances, and other necessary incidental improvements and expenses in connection therewith, as more fully described in the aforesaid map, plan and report, is hereby authorized and approved. The maximum estimated cost to said The Commercial Sewer District pursuant to these proceedings for said construction shall not exceed \$5,267,100. Said cost of said improvements for said Extension shall be financed by the issuance of serial bonds of said Town maturing in annual installments over a period not exceeding forty years, payable in the first instance from assessments levied upon and collected from the several lots and parcels of land within said Commercial Sewer District Extension to the Riverhead Sewer District, which the Town shall determine and specify to be

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especially benefited by the improvement, in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 3. The Town Clerk is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Suffolk County, New York, within ten days after the adoption of this order by this Town Board and to file a certified copy thereof within that time in the office of the State Department of Audit and Control, in Albany, New York, both pursuant to subdivision 1 of Section 209-g of the Town Law.

Section 4. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly
put to a vote on roll call, which resulted as follows:

Supervisor Stark VOTING AYE

Councilman Prusinowski VOTING AYE

Councilman Lull VOTING AYE

Councilman Kwasna VOTING AYE

Councilman Wittmeier VOTING AYE

The order was thereupon declared duly adopted.

* * * * *

SCHEDULE A

The Commercial Sewer District Extension (CSDE) for the Riverhead Sewer District is described through the following Section Block Lot (S.B.L.) numbers from the Suffolk County Tax Maps.

Beginning at the corner of Osborn Ave. and Old Country Rd., thence northeast along the southern boundaries of 108-2-10 and 108-2-9; thence northwest along the eastern boundary of 108-2-9; thence southwest along the northern boundaries of 108-2-9 and 108-2-10; thence southeast along the western boundary of 108-2-10; thence northwest along Osborne Ave and the eastern boundary of 108-2-6.1; thence southwest and west along the northern boundary of 108-2-6.1; thence northwest, and then southwest along the eastern and northern boundaries of 108-2-2; thence northwest along the eastern boundaries of 101-2-6.2 and 101-2-6.1; thence west, and then southeast along the northern and western boundary of 101-2-6.1; thence west along the northern boundaries of 101-2-9.2, 101-2-9.4 and 101-2-10; thence southeast along the western boundary of 101-2-10; thence southwest along the northern boundary of 101-2-11; thence northwest along eastern boundary of 101-1-11; thence southwest along the northern boundaries of 101-1-11 and 101-1-10.2 thru 10.17; thence southeast along the western boundaries of 101-1-10.2 thru 10.17; thence west along Old Country Rd.; thence north, then northwest along the eastern boundary of 101-1-3; thence southwest along the northern boundary of 101-1-3; thence southeast along the western boundary of 101-1-3; thence southwest along the northern boundary of 101-1-2; thence northwest, then west, then northwest, then west, then southeast, then southwest along the eastern, northern, and western boundaries of 118-3-6; thence south along the western boundaries of 118-3-6, and 118-2-1.

Crossing Old Country Rd., thence south along 118-3-4; thence west along the northern boundaries of 118-3-4 and 118-3-2.3; thence south, then southeast, then northeast along the western and southern boundary 118-2-2.3; thence south, then east, then southeast, then east, then north along the southern and eastern boundary of 118-3-4; thence east along the southern boundary of 118-3-7; thence south along the western boundary of 119-1-38; thence east along the southern boundaries of 119-1-38 and 119-1-37; thence north along the eastern boundary of 119-1-37; thence east along the southern boundaries of 119-1-36 and 119-1-40; thence south along the western boundary of 119-1-25; thence east along the southern boundaries of 119-1-25, 119-1-24, and 119-1-23; thence north along the eastern boundary of 119-1-23; thence east along the southern boundary of 119-1-9.2; thence south along the western boundary of 119-1-10; thence east along the southern boundaries of 119-1-10 and 119-1-11; thence northeast, then northwest along the southern and western boundary of 119-1-19.1; thence east along the southern boundaries of 101-2-12.4 and 101-2-12.5.; thence north along the eastern boundary of 101-2-12.5; thence east along Old Country Rd.; thence southeast along the western boundaries of 101-2-14 and 101-2-15.2; thence east along the southern boundary 101-2-15.2; thence southeast along the eastern boundary of 125-1-2 and the southern boundaries of 125-1-3 and 125-1-4; thence northwest along the eastern boundary of 125-1-4; thence northeast, and then northwest along the southern and eastern boundary of 108-2-8; thence northeast along Old Country Rd., ending at the existing Riverhead Sewer District boundary, at the corner of Old Country Rd. and Osborn Ave.

STATE OF NEW YORK)
) SS:
 COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the order contained therein, held on December ____, 1996, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice _____

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on December _____, 1996.

Town Clerk

CORPORATE
SEAL)

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.

12/17/96

1887

Adopted

TOWN OF RIVERHEAD
Resolution # 934

RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,267,000 SERIAL
BONDS TO PAY THE COST OF SEWER IMPROVEMENTS FOR THE
COMMERCIAL SEWER DISTRICT TO THE RIVERHEAD SEWER DISTRICT

209974.01

72113-3116P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said County, on December 17, 1996, at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Stark, and upon roll being called, the following were

PRESENT:

- JAMES R. STARK, Supervisor
- VICTOR J. PRUSINOWSKI, Councilman
- JAMES B. LULL, Councilman
- MARK A. KWASNA, Councilman
- OTTO WITTMEIER, Councilman

ABSENT:

COUNCILMAN KWASNA

The following resolution was offered by

who moved its adoption, seconded by ~~COUNCILMAN WITTMEIER~~ to-wit:

BOND RESOLUTION DATED DECEMBER 17, 1996.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,267,100 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE SEWER IMPROVEMENTS FOR THE COMMERCIAL SEWER DISTRICT TO THE RIVERHEAD SEWER DISTRICT EXTENSION OF SAID TOWN.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 12-A of the Town Law, and more particularly an order dated December 17, 1996, the Town Board of the Town of Riverhead, Suffolk County, New York, has established The Commercial Sewer District Extension to the Riverhead Sewer District of the Town of Riverhead;

WHEREAS, the improvements proposed for said Extension consist of the purchase and installation of force main, gravity sewer lines and trunk lines, and the construction of two new pump stations, together with reconstruction of existing pump stations and sewer lines within the existing Riverhead Sewer District as necessitated by the establishment of the Extension, including original furnishings, equipment, machinery, apparatus, appurtenances, and other necessary incidental improvements and expenses in connection therewith, as more fully described in the aforesaid Order establishing said Commercial Sewer District Extension to the Riverhead Sewer District;

WHEREAS, the maximum amount proposed to be expended for said improvements is \$5,267,100; and

WHEREAS, said capital project has been determined to be an Eligible Action pursuant to the regulations of the New York State

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Department of Environmental Conservation 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; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying the costs of the original improvement for the Commercial Sewer District Extension to the Riverhead Sewer District, consisting of the purchase and installation of force main, gravity sewer lines and trunk lines, and the construction of two new pump stations, together with reconstruction of existing pump stations and sewer lines within the existing Riverhead Sewer District as necessitated by the establishment of the Extension, including original furnishings, equipment, machinery, apparatus, appurtenances, and other necessary incidental improvements and expenses in connection therewith, as described in the preambles hereof, there are hereby authorized to be issued \$5,267,100 serial bonds of the Town of Riverhead, Suffolk County, New York pursuant to the provisions of the Local Finance Law.

Section 2. The maximum estimated cost of the aforescribed improvements is \$5,267,100 and the plan for the financing thereof shall consist of the issuance of the \$5,267,100 serial bonds of

said Town, authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall be annually assessed upon and collected from the several lots and parcels of land within said Commercial Sewer District Extension to the Riverhead Sewer District deemed benefited by the improvement, so much upon and from each as shall be in just proportion to the

amount of the benefit which the improvement shall confer upon the same, an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town, including, but not limited to, the power to sell said serial bonds to the New York State Environmental Facilities Corporation, provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the

purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in

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each form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to

affect the issuance of the aforesaid serial bonds and, or notes without resorting to further action of this Town Board.

Section 12. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 . 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money,
or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This resolution, which takes effect immediately, shall be published in full in Suffolk County Life, the official newspaper, together with a notice of the Town Clerk in

substantially the form provided in Section 81.00 of the Local
Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<u>Supervisor Stark</u>	VOTING	<u>Aye</u>
<u>Councilman Prusinowski</u>	VOTING	<u>Aye</u>
<u>Councilman Lull</u>	VOTING	<u>Aye</u>
<u>Councilman Kwasna</u>	VOTING	<u>Aye</u>
<u>Councilman Wittmeier</u>	VOTING	<u>Aye</u>

The resolution was thereupon declared duly adopted.

* * * * *

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on December 17, 1996, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
--	-------------------

Suffolk County Life	December 13, 1996
---------------------	-------------------

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting

Town Clerk's Bulletin Board

December 18, 1996

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on December 18th, 1996.

Barbara Gatten
Town Clerk

(CORPORATE
SEAL)

THE VOTE

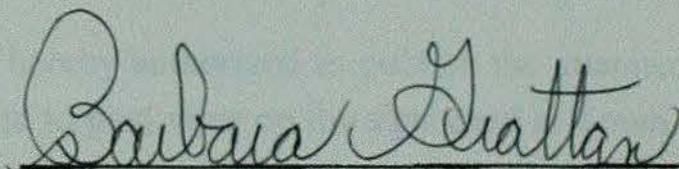
Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon duly adopted.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town Board of the Town of Riverhead, Suffolk County, New York, on December 17, 1996, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: Riverhead, New York,
December 17, 1996


Town Clerk

12/17/96

TOWN OF RIVERHEAD

AdoptedResolution # 935**ADOPTS LOCAL LAW TO AMEND CHAPTER 101 "VEHICLES AND TRAFFIC"**
OF THE RIVERHEAD TOWN CODE

COUNCILMAN WITTMER 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 to amend Chapter 101 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of November, 1996 at 7:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law to amend Chapter 101 "Vehicles and Traffic" 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 Riverhead Police Department; the Highway Department; the Town Attorney's Office and Kenneth Testa, P.E.

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 101, "Vehicles and Traffic" of the Riverhead Town Code at its regular meeting held on December 17, 1996 as follows:

§101-7. Turns.

The following turns in the designated areas are hereby defined:

Sign	Location
Right turn only	West off roadway leading from Roanoke Shopping Plaza to County Road No. 58
<u>Right turn only</u>	<u>North off roadway leading from Pizza Hut to Roanoke Avenue</u>
<u>Right turn only</u>	<u>East off roadway leading from Radio Shack and Dunkin Donuts/Baskin Robbins to County Road No. 58</u>
<u>Right turn only</u>	<u>West off roadway leading from 7-11 to County Road No. 58</u>
<u>Right turn only</u>	<u>East off roadway leading from Jiffy Lube to County Road No. 58</u>

§101-12. Seasonal parking prohibited.

- B. Notwithstanding §101-12 and subject to §101-10, the parking of vehicles is hereby prohibited annually from March 1 through December 1 upon the following described streets or portions thereof, except for vehicles of Riverhead residents displaying a valid resident parking permit pursuant to §48-13:

Name of Street	Side	Location
Corwell Street <u>Avenue</u>	Both	Beginning at the south side of the Riverside Drive <u>Madison Street</u> intersection and thence southerly and parallel to the bank of the Peconic River and thence along the easterly side of Corwell-Street <u>Avenue</u> north to the intersection of Riverside Drive <u>Madison Street</u> .

Dated: Riverhead, New York
December 17, 1996

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

* Underscore represents addition(s)
** Overstrike represents deletion(s)

THE VOTE

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

The Resolution was thereupon
duly adopted.

12/17/96

Adopted

TOWN OF RIVERHEAD

Resolution # 936**APPROVES SITE PLAN OF NEXTEL COMMUNICATIONS - MODULAR STORAGE BUILDING**

COMMISSIONER MAN DEUSINOWSKI offered the following resolution, which was seconded by COMMISSIONER MAN LULL:

WHEREAS, a site plan and elevations were submitted by Robert Lister, as agent for Nextel Communications, for the construction of a 200 square foot modular control building, and attendant site improvements, at property owned by the Riverhead Water District located on the north side of Old Country Road (C.R. 58), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-84-1-8; and

WHEREAS, the Planning Department has reviewed the site plan dated December 2, 1996, as prepared by William R. Collins, AIA, 10-1 Technology Drive, Setauket NY 11733, and elevations undated and dated in-house December 13, 1996, as prepared by Miller Telecom Services, Inc., P.O. Box 1283, Elkhart, IN 46515, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 96-_____ 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 Robert Lister, as agent for Nextel Communications, for the construction of a 200 square foot modular control building, and attendant site improvements, at property owned by the Riverhead Water District located on the north side of Old Country Road (C.R. 58), Riverhead, New York, site plan dated December 2, 1996, as prepared by William R. Collins, AIA, 10-1 Technology Drive, Setauket NY 11733, and elevations undated and dated in-house December 13, 1996, as prepared by Miller Telecom Services, Inc., P.O. Box 1283, Elkhart IN 46515, 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 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. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

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

5. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;

6. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "**No Parking, Handicap Only**", and the universal symbol affixed thereto. Further, by execution and filing of this document, Riverhead Water District hereby authorizes and consents to the Town of Riverhead to enter premises at property owned by the Riverhead Water District located on the north side of Old Country Road (C.R. 58), Riverhead, New York, to enforce said handicapped parking regulations;

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

8. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert Lister, as agent for Nextel Communications, Richard A. Ehlers, Esq., the Riverhead Planning Department, Riverhead Building Department, Riverhead Water District, and the Town Engineer.

THE VOTE

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

... thereupon

Adopted

12/17/96

AWARDS BID FOR ROUTE 58 SEWER DISTRICT EXTENSION
 PHASE I
 RIVERHEAD SEWER DISTRICT

Adopted _____

Resolution # 937

COUNCILMAN LULL

_____ offered the following resolution
 which was seconded by **COUNCILMAN PRUSINOWSKI**

WHEREAS, this Town Board did authorize the advertisement for bids for the general construction contract and electrical contract for the Route 58 Sewer District extension, and

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

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

WHEREAS, by letter from Malcolm Pirnie, consulting engineers to the Riverhead Sewer District, they did recommend that the bids be awarded as follows:

General Construction - Ferran Brothers, Inc. \$306,500

Electrical - McDowell Electric Corp. - \$57,945

NOW, THEREFORE, BE IT

RESOLVED, that the bids for the general construction and electrical work for the Route 58 Sewer District Extension, Phase I, be and are hereby awarded as follows:

General Construction - Ferran Brothers, Inc. \$306,500

Electrical - McDowell Electric Corp. - \$57,945, and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to Ferran Brothers, Inc., McDowell Electric Corp., Michael Reichel, Accounting Department, and Pierre G. Lundberg, Esq., and be it further

RESOLVED, that the Town Clerk is hereby authorized to return to all the unsuccessful 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 bidders's bid security.

Adopted

THE VOTE

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

The Resolution was thereupon duly adopted.

12/17/96

Adopted

AUTHORIZES MALCOLM PIRNIE
TO PREPARE MAP & PLAN FOR UPGRADE TO RIVERHEAD
SEWAGE TREATMENT PLANT TO INCLUDE NITROGEN REMOVAL

Resolution # 938

Adopted _____

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

RESOLVED, that Malcolm Pirnie, Inc. be and is hereby
authorized to prepare a map and plan for upgrades to the Riverhead
Sewage Treatment Plant to include nitrogen removal capabilities at
a cost not to exceed \$6,000, and be it further

RESOLVED, that the Town Clerk shall forward certified copies
of this resolution to Malcolm Pirnie, Inc. and Michael Reichel.

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

TB - 12/17/96

TOWN OF RIVERHEAD

**RESOLUTION # 939
ADOPTED**

AWARDS BID ON SNOW PLOW PARTS AND SPREADER PARTS

COUNCILMAN WITTMER

OFFERED THE FOLLOWING RESOLUTION

COUNCILMAN KWASNA

WHICH WAS SECONDED BY _____

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS ON SNOW PLOW AND SPREADER PARTS, FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 16TH OF OCTOBER AT 11:00 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK THE DATE TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, FIVE BIDS WERE RECEIVED, AND

WHEREAS, IT IS THE HIGHWAY SUPERINTENDENTS DESIRE TO TAKE THE LOWEST INDIVIDUAL BID PRICES

NOW, THEREFORE, BE IT

RESOLVED, THAT THE BID FOR ITEM #'S 2, 6, 7, 32, 50, 51 AND 52 OF THE SNOW PLOW PARTS AND SPREADER PARTS BID BE AND IS HEREBY AWARDED TO TRIUS, INC., 458 JOHNSON AVENUE, BOHEMIA, NEW YORK 11716.

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

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

The Resolution was thereupon duly adopted.

CB3

Adopted

TB - 12/17/96

TOWN OF RIVERHEAD

RESOLUTION # 940
ADOPTED

AWARDS BID ON SNOW PLOW PARTS AND SPREADER PARTS

COUNCILMAN WITTMER

OFFERED THE FOLLOWING RESOLUTION

COUNCILMAN KWASNA

WHICH WAS SECONDED BY

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS ON SNOW PLOW AND SPREADER PARTS, FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 16TH OF OCTOBER AT 11:00 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK THE DATE TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, FIVE BIDS WERE RECEIVED, AND

WHEREAS, IT IS THE HIGHWAY SUPERINTENDENTS DESIRE TO TAKE THE LOWEST INDIVIDUAL BID PRICES

NOW, THEREFORE, BE IT

RESOLVED, THAT THE BID FOR ITEM #'S 3, 8, 14 THRU 24 INCLUSIVE, 27 THRU 31 INCLUSIVE AND 33 THRU 35 OF THE SNOW PLOW PARTS AND SPREADER PARTS BID BE AND IS HEREBY AWARDED TO ADVANCED EQUIPMENT INC., 75 CEDARHURST AVENUE, MEDFORD, NEW YORK 11763.

BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO ADVANCED EQUIPMENT INC. AND THE RIVERHEAD HIGHWAY DEPARTMENT.

THE VOTE

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

The Resolution was thereupon duly adopted.

TB - 12/17/96

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 941
ADOPTED

AWARDS BID ON SNOW PLOW PARTS AND SPREADER PARTS

COUNCILMAN WITTMEIER

OFFERED THE FOLLOWING RESOLUTION

COUNCILMAN KWASNA

WHICH WAS SECONDED BY

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS ON SNOW PLOW AND SPREADER PARTS, FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 16TH OF OCTOBER AT 11:00 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK THE DATE TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, FIVE BIDS WERE RECEIVED, AND

WHEREAS, IT IS THE HIGHWAY SUPERINTENDENTS DESIRE TO TAKE THE LOWEST INDIVIDUAL BID PRICES

NOW, THEREFORE, BE IT

RESOLVED, THAT THE BID FOR ITEM #'S 4, 9 THRU 13 INCLUSIVE, 25, 26, 36, 37, 47 THRU 49 INCLUSIVE AND 53' THRU 59 INCLUSIVE OF THE SNOW PLOW PARTS AND SPREADER PARTS BID BE AND IS HEREBY AWARDED TO CAPITOL HIGHWAY MATERIALS, P.O. BOX 216, RT. 6, BALDWIN PLACE, NEW YORK 10505.

BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF ~~THIS RESOLUTION~~ **THE VOTE** TO CAPITOL HIGHWAY MATERIAL AND THE RIVERHEAD HIGHWAY DEPARTMENT.

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.

TB - 12/17/96

Adopted

TOWN OF RIVERHEAD

**RESOLUTION # 942
ADOPTED**

AWARDS BID ON SNOW PLOW PARTS AND SPREADER PARTS

COUNCILMAN WITTMEIER

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY **COUNCILMAN KWASNA**

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS ON SNOW PLOW AND SPREADER PARTS, FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 16TH OF OCTOBER AT 11:00 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK THE DATE TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, FIVE BIDS WERE RECEIVED, AND

WHEREAS, IT IS THE HIGHWAY SUPERINTENDENTS DESIRE TO TAKE THE LOWEST INDIVIDUAL BID PRICES

NOW, THEREFORE, BE IT

RESOLVED, THAT THE BID FOR ITEM #'S 5, 38 THRU 46 INCLUSIVE OF THE SNOW PLOW PARTS AND SPREADER PARTS BID BE AND IS HEREBY AWARDED TO SAM ALLEN'S MODERN MACHINERY, 125 MIDDLE COUNTRY ROAD, CORAM, NEW YORK 11727.

BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO SAM ALLEN'S MODERN MACHINERY AND THE RIVERHEAD HIGHWAY DEPARTMENT.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

12/17/96

TOWN OF RIVERHEAD

Resolution # 943

WAIVES FEE FOR DEMOLITION PERMIT

COUNCILMAN WITTMEIER offered the following resolution, was seconded by

COUNCILMAN KWASNA :

WHEREAS, the Town Board of the Town of Riverhead has taken various measures to revitalize and beautify those areas within the Town of Riverhead which have experienced blight, decay and deterioration; and

WHEREAS, as part of this effort, the Town Board of the Town of Riverhead has engaged in certain clean up efforts of that area known as "Millbrook Gables"; and

WHEREAS, as part of that process, the owner of that real property known as "Ricky's", agreed to demolish that structure on said premises on December 12, 1996 pursuant to a demolition permit; and

WHEREAS, in consideration of that action, the Town Board hereby waives the fee generally required for a demolition permit.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby waives the imposition of a fee for the demolition permit issued in connection with the "Ricky's" premises; and be it further

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

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

12/17/96

TOWN OF RIVERHEAD

Resolution # 944**APPROVES SITE PLAN OF RIVERHEAD ENTERPRISES - FACADE
ALTERATION (U.S. DEPT. OF AGRICULTURE)**

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

WHEREAS, a site plan and elevations were submitted by Richard Israel, as agent for Riverhead Enterprises, for the alteration of the Main Street facade, located at 209 East Main Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-129-1-18; and

WHEREAS, the Planning Department has reviewed the elevation drawing dated December 6, 1996, as prepared by Fairweather/Brown, Architects, Box 521, Greenport NY 11944, 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 elevation drawing has been marked and initialled by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 96-35203 of the Office of the Supervisor of the Town of Riverhead; and

WHEREAS, this Town Board has reviewed the elevation drawing aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the elevation drawing submitted by Richard Israel, as agent for Riverhead Enterprises, for the alteration of the Main Street facade, located at 209 East Main Street, Riverhead, New York, elevation drawing dated December 6, 1996, as prepared by Fairweather/Brown, Architects, Box 521, Greenport NY 11944, be and is hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk

County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;

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

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

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;

8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;

9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "**No Parking, Handicap Only**", and the universal symbol affixed thereto. Further, by execution and filing of this document, Riverhead Enterprises hereby authorizes and consents to the Town of Riverhead to enter premises at 209 East Main Street, Riverhead, New York, to enforce said handicapped parking regulations;

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

11. That all new utilities shall be constructed underground;

12. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to ph, organic content, and gradation;

14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard Israel, as agent for Riverhead Enterprises, the Riverhead Planning Department and Riverhead Building Department.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1996 made by Riverhead Enterprises, residing at 375 Sunrise Highway, Lynbrook NY 11563, Declarant.

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;

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

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

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On this _____ day of _____, 1996, before me personally came _____, to me known, and known to me to be one of the members of the firm of _____, described in and who executed the foregoing instrument, and (s)he acknowledged to me that (s)he executed the same as and for the act and deed of said firm.

NOTARY PUBLIC

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1996, 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	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

12/1 /96

Adopted**TOWN OF RIVERHEAD****Resolution # 945****RESOLUTION AUTHORIZING THE SUPERVISOR TO ACCEPT DEEDS
ROUTE 58 SEWER EXTENSION LIFT STATIONS - RIVERHEAD SEWER DISTRICT**COUNCILMAN LULL

offered the following resolution,

which was seconded by COUNCILMAN PRUSINOWSKI :

WHEREAS, Malcolm Pirnie, Inc., consulting engineers to the Riverhead Sewer District, by map and plan dated June 11, 1996, recommended the acquisition of property for the construction of a lift station on the northeast corner of Phase II of the Tanger Factory Outlet Center, at no cost to the district; and

WHEREAS, such map and plan recommends the acquisition of an additional site for a lift station along Route 58 in the vicinity east of Mill Road, which has been more particularly identified by the consulting engineer to be located along the westerly boundary of premises of Willmott, including a subsurface easement to permit piping to and from Route 58 and Pulaski Street, as more particularly set forth in the letter agreement; and

WHEREAS, such map and plan was the subject of proceedings before this Town Board which are concluded by the adoption of the final public interest order and bond resolution of even date herewith; and

WHEREAS, this Board desires to authorize the Supervisor to accept the necessary deeds and easements to accomplish the acquisition of the lift station parcels aforementioned and necessary easements for piping and access for ingress and egress.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute any and all such documents necessary to convey title to the lift stations described herein and the necessary easements for piping and access for ingress and egress; and

BE IT FURTHER RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Pierre G. Lundberg, Esq., P. O. Box 389, Riverhead, New York, 11901, the Supervisor's Office and Michael Reichel.

Adopted

THE VOTE

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

The Resolution was thereupon
duly adopted.

December 17, 1996

Adopted**TOWN OF RIVERHEAD****Resolution #946****AMENDS SITE PLAN OF OFFICES OF TWOMEY, LATHAM, SHEA & KELLEY****COUNCILMAN KWASNA**

offered the following

resolution, which was seconded by

COUNCILMAN WITTMEIER

WHEREAS, by Resolution # 651, dated November 19, 1991, the Riverhead Town Board did approve the site plan of Thomas A. Twomey, Jr. for the renovation of, and addition to, and existing structure located at the southeast corner of West Second Street and Griffing Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128-6-1, 2, & 3, and

WHEREAS, Thomas A. Twomey, Jr. has requested that a modification of said site plan approval in regard to the location and design of the ramp for handicap access, as per a site plan dated last October 25, 1996, as prepared by Stephen Marcks, L.S., Raynor & Marcks Surveyors, Quogue NY 11959, and elevations dated last September 24, 1996, as prepared by John Van Velsor, P.O. Box 48, Center Moriches NY 11934 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 96-33403 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 Thomas A. Twomey, Jr. to provide for the following:

the location and design of the ramp for handicap access, as per a site plan dated last October 25, 1996, as prepared by Stephen Marcks, L.S., Raynor & Marcks Surveyors, Quogue NY 11959, and elevations dated last September 24, 1996, as prepared by John Van Velsor, P.O. Box 48, Center Moriches NY 11934, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Thomas A. Twomey, Jr., the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

Adopted

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

12/17/96

TOWN OF RIVERHEAD
AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER A PROPOSED LOCAL LAW ENTITLED "ENFORCEMENT OF
UNIFORM FIRE PREVENTION AND BUILDING CODE FOR GOVERNMENT
BUILDINGS AND ACTIVITIES" TO BE ADDED TO
EXISTING CHAPTER 52 OF THE RIVERHEAD TOWN CODE

Resolution # 947

Adopted: _____

COUNCILMAN WITTMER

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

RESOLVED, that the Town Clerk be and is hereby authorized to
publish and post the attached public notice to consider a proposed
local law entitled, "ENFORCEMENT OF UNIFORM FIRE PREVENTION AND
BUILDING CODE FOR GOVERNMENT BUILDINGS AND ACTIVITIES" to be added
to existing Chapter 52 of the Riverhead Town Code, once in the
Suffolk County Life and also to cause a copy of the proposed local
law to be posted on the sign board of the Town in the Office of the
Town Clerk, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a
copy of this resolution to the Building Department, Secretaries of
the Riverhead, Jamesport, Wading River and Manorville Fire
Districts; Superintendents of the Sewer, Water and Street Lighting
District, Town Engineer, Town Clerks of the Towns of Southampton
and Brookhaven, and the Riverhead Ambulance Corps.

THE VOTE

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

The Resolution was thereupon
duly adopted.

TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held on the 7th day of January, 1997, at 7:20 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider a local law entitled, "ENFORCEMENT OF UNIFORM FIRE PREVENTION AND BUILDING CODE FOR GOVERNMENT BUILDINGS AND ACTIVITIES" to be added to existing Chapter 52 of the Riverhead Town Code.

A copy of the entire text of the proposed local law entitled "ENFORCEMENT OF UNIFORM FIRE PREVENTION AND BUILDING CODE FOR GOVERNMENT BUILDINGS AND ACTIVITIES" will be available for review at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: December 17, 1996.
Riverhead, NY

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

CHAPTER 52

ENFORCEMENT OF UNIFORM FIRE PREVENTION AND BUILDING
CODE FOR GOVERNMENT BUILDINGS AND ACTIVITIES

Section 52-20

A. Compliance with the procedures of this section of Chapter 52 regarding building permits shall be exclusive of any other requirements as set forth in the Riverhead Town Code.

B. Whenever a special district within the Town, such as a Water District, Sewer District, Scavenger Waste District, Fire District, Fire Prevention District, Ambulance Corps, Street Lighting District, the Town of Riverhead Highway Department, the Town of Riverhead, or any other of its governmental agencies as regulated by 19 NYCRR 441.2 (a) or (b) (hereinafter collectively known as the "Regulated Public Entity") seeks to construct public improvements such as are regulated by the NYS Uniform Fire Prevention and Building Code, the requirements of this section shall be complied with.

C. The regulated public entities shall cause one complete set of all plans and specifications and any amendment thereto to be filed with the Town Clerk before construction of the public improvements are commenced. Such plans and specifications shall be prepared by a licensed professional engineer, architect, or surveyor as required by the Education Law.

D. The plans shall bear the original seal and signature of the licensed professional.

E. In addition to the plans and specifications, the licensed professional shall certify in writing and file with the Town Clerk contemporaneously with the plans a certification that the construction proposed complies with the NYS Uniform Fire Prevention and Building Code.

F. Upon the completion of the construction, the licensed professional shall file a certification that the improvements have been constructed in accordance with the plans and specifications as filed with the Town Clerk and that such construction as completed is in accordance with the NYS Uniform Fire Prevention and Building Code.

12/17/96

Adopted

TOWN OF RIVERHEAD

Resolution # 948**APPROVES PRELIMINARY SITE PLAN OF SPLISH SPLASH/TONS OF FUN PHASE I (BULLINKLE'S RESTAURANT AND INDOOR ICE RINK)**

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by

COUNCILMAN LULL :

WHEREAS, a preliminary site plan and elevations were submitted by James A. (Chip) Cleary, as agent for Splish Splash at Adventureland, Inc., for the construction of a 76,900 square foot building to house a restaurant, amusement area, and indoor ice rink, and attendant site improvements, located at Splish Splash Drive, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-118-1-3.1; and

WHEREAS, the Planning Department has reviewed the site plan dated March 1996, as prepared by H2M Group, 575 Broadhollow Road, Melville NY 11747, and elevations dated October, 1996, as prepared by H2M Group, 575 Broadhollow Road, Melville NY 11747, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved with conditions; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 96-35204 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 preliminary site plan and elevations submitted by James A. (Chip) Cleary, as agent for Splish Splash at Adventureland, Inc., for the construction of a 76,900 square foot building to house a restaurant, amusement area, and indoor ice rink, and attendant site improvements, located at Splish Splash Drive, Riverhead, New York, site plan dated March 1996, as prepared by H2M Group, 575 Broadhollow Road, Melville NY 11747, and elevations dated October, 1996, as prepared by H2M Group, 575 Broadhollow Road, Melville NY 11747, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "**No Parking, Handicap Only**", and the universal symbol affixed thereto. Further, by execution and filing of this document, Splish Splash at Adventureland, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at Splish Splash Drive, Riverhead, New York, to enforce said handicapped parking regulations;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all utilities shall be constructed underground;
12. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit

shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to ph, organic content, and gradation;

14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

15. That this approval is subject to the submission, review, and further approval, by resolution, of an engineered site plan, which shall address adequate waste disposal capacity and buffering the service area at the rear of the proposed restaurant;

16. That this approval is subject to the submission, review, and further approval, by resolution, of a planting plan and schedule for the areas affected by the proposed construction;

16. That the commencement of construction for this project, or any portion thereof, shall rely on a certificate of occupancy having first been issued for the parking lot on a noncontiguous parcel; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to James A. (Chip) Cleary, as agent for Splish Splash at Adventureland, Inc., H2M Group, Allen M. Smith, Esq., the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

THE VOTE

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

The Resolution was thereupon duly adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1996 made by Splish Splash at Adventureland, Inc., residing at 2245 Broadhollow Road, Farmingdale NY 11735, Declarant.

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;

7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;

8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "**No Parking, Handicap Only**", and the universal symbol affixed thereto;

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

10. That all utilities shall be constructed underground;

11. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to ph, organic content, and gradation;

13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

SPLISH SPLASH AT ADVENTURELAND, INC.

By: _____

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

On the _____ day of _____, 1996, 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

12/17/96

Adopted

TOWN OF RIVERHEAD

Resolution # 949

AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE ARMORY

COUNCIL MAN LULL

offered the following resolution, was seconded by

COUNCIL MAN PRUSINOWSKI :

WHEREAS, that the Riverhead Recreation Department utilizes the New York State Armory's first floor class room and use of bathrooms for various programs that the Riverhead Recreation Department offers to Town of Riverhead residents.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute a Lease Agreement between the New York State Armory and the Riverhead Recreation Department for the use of the New York State Armory Building's first floor class room and bathrooms, located at 1405 Old Country Road, Riverhead, New York for the period of one (1) year at the annual sum of \$14,991.00; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the New York State Armory, 1405 Old Country Road, Riverhead, New York, 11901; the Riverhead Recreation Department; the Accounting 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.

**BID SPECIFICATIONS ON
WOOD WINDOW SHUTTERS
FOR USE ON BENJAMIN CORWIN HOUSES**

DESCRIPTION:

REPLACEMENT CEDAR WOOD EXTERIOR WINDOW SHUTTERS FOR USE ON RESTORATION OF BENJAMIN CORWIN HOUSES ON MAIN STREET IN RIVERHEAD, N.Y..

ALL SHUTTERS TO BE MINIMUM 1" THICK IN DIMENSIONS LISTED BELOW.

LOUVERS TO BE FIXED TYPE.

ALL WOOD BLINDS; FULL LOUVERS. ALL WIDTHS TO BE 14".

MUST BE #1 CLEAR CEDAR CONSTRUCTION

<u>DIMENSIONS</u>	<u>ESTIMATED QUANTITIES</u>	<u>COST PER PAIR</u>	<u>EXTENDED COST</u>
14" X 87"	2 PAIR	107.68	215.36
14" X 71"	4 PAIR	90.76	363.04
14" X 56"	3 PAIR	53.38	160.14
14" X 67"	12 PAIR	60.55	726.60
14" X 73"	4 PAIR	93.51	374.04
14" X 65"	9 PAIR	87.55	787.95
14" X 36"	5 PAIR	40.78	203.90
14" X 43"	3 PAIR	42.55	127.65
14" X 51"	4 PAIR	49.69	198.76
14" X 55"	23 PAIR	80.36	1848.28
14" X 46"	4 PAIR	71.47	285.88
14" X 83"	5 PAIR	100.91	504.55
14" X 23"	2 PAIR	40.78	81.56

TOTAL EXTENDED PRICE BID: \$ 5877.71 - see attached addendum

NOTE: All quantities are estimated.

Actual quantity order will depend on actual need and availability of funds.

The Town of Riverhead reserves the right to increase or decrease quantities as needed.

RIVERHEAD BUILDING SUPPLY CORP

303 Ostrander Ave
Riverhead, NY 11901
(516)-727-3650

ADDENDUM

1. Add 10% to base bid price for non finger joint material.

$$\text{Base Bid} - \$5877.71 + 10\% (\$587.77) = \$6465.48$$

2. Add \$7.00 per pair for factory primed.

12/17/96

TOWN OF RIVERHEAD

Resolution # 951**Adopted**DECLARES LEAD AGENCY & DETERMINES SIGNIFICANCE OF ACTION
APPLEBEE'S NEIGHBORHOOD GRILL & BAR - SPECIAL PERMIT & SITE PLAN

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from the Baldassano Architectural Group, as authorized agent for Applebee's Neighborhood Grill & Bar pursuant to the building coverage terms of the Zoning Use Schedule of the Town Code for construction of a 5,500 square foot restaurant on a 2.0 acre portion of a 11.65 acre parcel zoned Business B and known specifically as SCTM No. 0600-108-3-18, and

WHEREAS, an Environmental Assessment Form was submitted as part of the petition, and

WHEREAS, the Riverhead Planning Department has reviewed the Environmental Assessment Form and supporting documentation and recommend the petition be considered an Unlisted Action for which coordinated review is optional and in this case unnecessary, and

WHEREAS, the Planning Department, by preparation and evaluation of its SEQR staff report, has further recommended that the action will not have a significant effect upon the environment, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declare itself to be the Lead Agency in the special permit application of Applebee's Neighborhood Grill & Bar, and

BE IT FURTHER

RESOLVED, that the application be considered to be an Unlisted Action which will not have a significant effect upon the environment and that a Draft Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that this classification and determination be considered valid for any related approval subject to SEQR, and

BE IT FURTHER

RESOLVED, that the Riverhead Planning Department be directed to publish and post those notices as required by 6NYCRR Part 617, 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 applicant or his agent and to forward the petition to the Riverhead Planning Board for their report and recommendation.

THE VOTE

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

The Resolution was thereupon duly adopted.

12/17/96

TOWN OF RIVERHEAD

Adopted

Resolution #952

Establishes Advisory Board for the U.S. Department of Justice
Local Law Enforcement Block Grant Program

COUNCILMAN DEUSINCOWSKI offered the following resolution,

which was seconded by COUNCILMAN LULL :

WHEREAS, the Town of Riverhead Police Department has been awarded \$49,792 under the U.S. Department of Justice Local Law Enforcement Block Grant Program; and

WHEREAS, the Town of Riverhead has proposed using said grant for the purpose of purchasing new police vehicles, which is an eligible expenditure under the Local Law Enforcement Block Grant Program; and

WHEREAS, the grantor requires that the Town of Riverhead establish an advisory board before obligating these grant funds;

WHEREAS, said advisory board shall review the application for funding and shall make nonbinding recommendations to the Riverhead Town Police Department;

THEREFORE, BE IT RESOLVED that the Town Board establishes the following members to this advisory board: Riverhead Police Chief Joseph Grattan, Assistant District Attorney Tracy Hoffman, Riverhead Town Justice Henry Saxtein, Riverhead Central School District Superintendent Robert Holmes and CAP Board Member Lauren Kratoville.

BE IT FURTHER RESOLVED that the Town Clerk shall provide a certified copy of this resolution to Police Chief Joseph Grattan, Captain David Hegermiller, Assistant District Attorney Tracy Hoffman, Riverhead Town Justice Henry Saxstein, Riverhead Central School District Superintendent Robert Holmes, CAP Board Member Lauren Kratoville and Community Development Director Andrea Lohneiss.

Adopted

THE VOTE

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

The Resolution was thereupon
duly adopted.

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 953
ADOPTED

AUTHORIZATION TO PUBLISH BID

**COUNCILMAN LULL OFFERED THE FOLLOWING RESOLUTION WHICH WAS
SECONDED BY COUNCILMAN FRUSINCOWSKI**

NOW, THEREFORE, BE IT

**RESOLVED: THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN
CLERK TO ADVERTISE FOR SEALED BIDS FOR AUTOMOTIVE PARTS FOR USE
BY THE TOWN OF RIVERHEAD;**

**RESOLVED: THAT THE SPECIFICATIONS AND FORMS FOR BIDDING BE
RETURNED TO THE TOWN CLERK'S OFFICE BY 11:00 A.M. ON JANUARY 8, 1997;
AND**

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

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of AUTOMOTIVE PARTS for use by the Town of Riverhead will be received by the Town Clerk at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on January 8, 1997.

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

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

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

All bids are to be submitted in a sealed envelope bearing the designation AUTOMOTIVE PARTS.

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

Barbara Grattan, Town Clerk

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.

DECEMBER 17, 1996

Adopted

TOWN OF RIVERHEAD
RESOLUTION # 954
ADOPTED _____

AUTHORIZATION TO PUBLISH BID

COUNCILMAN LULL

OFFERED THE FOLLOWING

RESOLUTION, WHICH WAS SECONDED BY

COUNCILMAN PRUSINCWSKI

NOW, THEREFORE, BE IT

RESOLVED: THAT THE TOWN BOARD HEREBY AUTHORIZED THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR MEDICAL SUPPLIES FOR USE BY THE TOWN OF RIVERHEAD.

RESOLVED: THAT THE SPECIFICATIONS AND FORMS FOR BIDDING BE RETURNED TO THE TOWN CLERK'S OFFICE BY 11:15 AM ON JANUARY 8, 1997; AND

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

THE VOTE

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

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of MEDICAL SUPPLIES for use by the Town of Riverhead will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:15 a.m. on JANUARY 8, 1997.

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

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

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

All bids are to be submitted in a sealed envelope bearing the designation MEDICAL SUPPLIES.

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

Barbara Grattan, Town Clerk

Adopted

12/17/96

TOWN OF RIVERHEAD

Resolution # 955

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

COUNCILMAN WITTMER

offered the following resolution, was seconded by

COUNCILMAN KWASNA

BE IT HEREBY RESOLVED, that the Supervisor be and is hereby authorized to enter into and execute a lease agreement between Bomel Riverhead Company, LLC and the Riverhead Business Improvement District Management Association, Inc., the subject premises located at 112 West Main Street, Riverhead; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Bomel Riverhead Company, LLC, P.O. Box 372, Woodmere, New York, 11592; Riverhead Business Improvement District Management Association, Inc., 49 East Main Street, Riverhead, New York, 11901; the Town Attorney's Office 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

The Resolution was thereupon duly adopted.

Adopted

12/17/96

TOWN OF RIVERHEAD

Resolution # 956

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER AN AMENDMENT TO CHAPTER 108 "ZONING" OF THE
RIVERHEAD TOWN CODE**

COUNCILMAN PRUSINOWSKI offered the following resolution, was seconded by

COUNCILMAN LULL :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to amend Chapter 108 "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 be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Board; the Riverhead Building Department; the Suffolk County Planning Commission; the L.I. State Park Commission; the Towns of Brookhaven, Southold and Southampton and the L.I. Pine Barrens Review Commission.

THE VOTE

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

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 7th day of January, 1997 at 7:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested parties to consider the amendment to Chapter 108 "Zoning", Article XXVI. Site Plan Review of the Riverhead Town Code as follows:

§108-131. Application procedure; fees.

C. Further processing.

- (1) If the application is satisfactory, the Planning Department shall retain one (1) copy of the submission and shall forward the remainder, within seven (7) days, to the Town Clerk. The Town Clerk shall clock all elements of a site plan application, shall retain one (1) copy for her file and shall thereupon distribute the remaining copies for review and comment as follows:
- (a) One (1) copy to the office of the Supervisor.
 - (b) One (1) copy to the Building Department.
 - (c) One (1) copy to the Town Attorney.
 - (d) One (1) copy to the Town Board Coordinator.
 - (e) One (1) copy each to the Highway Superintendent, Sewer District Superintendent and/or Water District Superintendent, as appropriate.
 - ~~(f) Two (2) copies to the Fire Marshal.~~
 - (f) One (1) copy to the appropriate Fire District.
 - (g) One (1) copy to the Architectural Review Board.

Dated: Riverhead, New York
December 17, 1996

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

* Underscore represents addition(s)

** Overstrike represents deletion(s)

Adopted

12/17/96

TOWN OF RIVERHEAD

Resolution # 957ADOPTS AMENDMENTS TO SECTION 108 OF THE TOWN CODE

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

WHEREAS, the Master Plan of the Town of Riverhead established distinct areas within the Town of Riverhead for the sale of goods at retail, and

WHEREAS, since the adoption of the initial Master Plan of the Town there have been a number of amendments to the Riverhead Zoning Ordinance providing for more discreet types of commercial land use, and

WHEREAS, recent development trends have established the commercially zoned areas of the Town as either tourist oriented or destination retail uses of a regional nature supported by permanent structures with long term leases to tenants, and

WHEREAS, that in order to maintain a consistent land use policy with respect to commercial development within the Town, the Town Board desires to limit discount retail to those operations which are considered to be of a permanent or accessory nature, and

WHEREAS, the Town Board held a hearing on the 17th day of September, 1996 to hear all interested persons with regard to the restriction of "flea markets" from the Business A, Business B, Business C, Business CR, Business D, Business E, and Business G Zoning Use Districts, and

WHEREAS, the Town Board desires to enact such restrictions, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby amends the Zoning Ordinance of the Town of Riverhead as follows:

Section 108-27 - D. Prohibited uses shall include: (1) Flea Markets;

Section 108-34 - D. Prohibited uses shall include: (1) Flea Markets;

Section 108-39 - D. Prohibited uses shall include: (1) Flea Markets;

Section 108-42 - D. Prohibited uses shall include: (1) Flea Markets;

Section 108-110.1 - D. Prohibited uses shall include: (2) Flea Markets;

Section 108-135 - D. Prohibited uses shall include: (3) Flea Markets;

Section 108-161 - D. Prohibited uses shall include: (1) Flea Markets.

THE VOTE

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

The Resolution was thereupon duly adopted.

12/17/96

Adopted

TOWN OF RIVERHEAD

Resolution # 958APPROVES CHANGE OF ZONE PETITION OF HELEN DRIS
COUNCILMAN KWASNA

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

WHEREAS, the Riverhead Town Board is in receipt of a petition from Helen Dris to provide for the Business A Zoning Use District to the exclusion of the Industrial B Zoning Use District upon real property located at West Street, South Jamesport; such real property more particularly described as Suffolk County Tax Map parcel numbers 0600-92-2-2.1 and 0600-92-3-15; and

WHEREAS, the Town Board by resolution Number 419 of 1996 did determine the subject change of zone petition 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 petition was referred to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending that the Business A District be extended to the subject property and that the district be amended to include the proposed uses of restaurant, motel, and marina as special permit uses, and

WHEREAS, the Planning Board further recommended that the establishment of both a restaurant and motel use with the existing marina use would constitute an over intensification of development of the property not in keeping with the provisions of the Business A Zoning Use District, and

WHEREAS, the petition was referred to the Suffolk County Planning Commission for its report and recommendation; such Commission considering the action as a matter for local determination, and

WHEREAS, a public hearing was held upon the subject petition of June 18, 1996 in conformance with Section 108-80 of the Riverhead Zoning Ordinance, and

WHEREAS, the Riverhead 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 planning, zoning, and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the change of zone petition of Helen Dris, the Riverhead Town Board hereby amends the Zoning Use District Map of the Town of Riverhead to provide for the Business A Zoning Use District to the exclusion of the Industrial B Zoning Use district as depicted upon the attached map; and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish notice of this zoning amendment in the official newspaper of the Town of Riverhead, and

BE IT FURTHER

RESOLVED, that the change of zone upon the subject property shall take effect immediately, and

BE IT FURTHER

RESOLVED, that the site plan to be submitted in furtherance of the proposed development shall depict the following:

1. Exclusive access to the site be from the existing entrance on Washington Avenue;
2. The improvement of Scallop Lane within the subject premises to specifications determined by the Town Board; and

BE IT FURTHER

RESOLVED, that no site plan shall be approved prior to relief by the Zoning Board of Appeals upon the number of uses within the Business A Zoning Use District, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to Peter S. Danowski, Esq. as agent for the applicant.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

12/17/96

TOWN OF RIVERHEAD

Resolution # 959

APPOINTS A PART-TIME SECURITY GUARD
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN WITTMEIER

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

RESOLVED, that Helga Gulthy is hereby appointed to serve as a Part-time Security guard, effective January 1, 1997 to be paid at the rate of \$8.25 per hour and to serve at the pleasure of the Town Board.

THE VOTE

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

The Resolution was thereupon duly adopted.

December 17, 1996

Adopted

TOWN OF RIVERHEAD

Resolution # 960

AUTHORIZES CONTRACT WITH ARTHUR J. GALLAGHER & COMPANY-NY AND PRECISE CLAIMS ADMINISTRATORS, INC.

COUNCILMAN PRUSINOWSKI offered the following resolution

which was seconded by **COUNCILMAN LULL**

WHEREAS, "Requests for Proposals" (RFP's) were requested for the 1997 insurance program for the Town of Riverhead; and

WHEREAS, the Town Board has carefully reviewed and considered all RFP's received by the Town of Riverhead.

NOW, THEREFORE, BE IT RESOLVED, that the insurance program for 1997 is awarded to Arthur J. Gallagher & Company-New York and Precise Claims Administrators, Inc.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Arthur J. Gallagher & Co. - New York, Precise Claims Administrators, Inc., 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.

December 17, 1996

Adopted

TOWN OF RIVERHEAD

Resolution # 961

ABOLISHES POSITIONS IN THE SANITATION DEPARTMENT

COUNCILMAN LULL offered the following resolution

which was seconded by COUNCILMAN PRUSINOWSKI

BE IT RESOLVED, effective January 1, 1997, the Town Board hereby abolishes the following positions in the Sanitation Department:

- Sanitation Site Crew Leader, 2(two) positions
- Scale Operator I
- Laborer

BE IT FURTHER RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Sanitation Superintendent, Walter O'Kula, Warren Alexander, Oliver Miles, Frank Columbus and the Office of Accounting.

THE VOTE

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

The Resolution was thereupon duly adopted.

December 17, 1996

Adopted

TOWN OF RIVERHEAD

Resolution # 962

**APPOINTS AUTOMOTIVE EQUIPMENT OPERATOR
IN THE HIGHWAY DEPARTMENT**

COUNCILMAN KWASNA

offered the following resolution

which was seconded by **COUNCILMAN WITTMER**

WHEREAS, the position of Automotive Equipment Operator currently exists in the Highway Department; and

WHEREAS, the position was posted and an application was received by a current Town employee who is certified by Civil Service to hold the title.

NOW, THEREFORE, BE IT RESOLVED, effective January 1, 1997, the Town Board hereby appoints Walter O'Kula to the position of Automotive Equipment Operator in the Highway Department, Group 6, Step 14 of the Operational and Technical Salary Structure; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Walter O'Kula, the Sanitation Superintendent, the Highway Superintendent and the Office of Accounting.

THE VOTE

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

The Resolution was thereupon duly adopted.

December 17, 1996

Adopted

TOWN OF RIVERHEAD

Resolution # 963

**APPOINTS LABORER
IN THE SEWER DEPARTMENT**

COUNCILMAN WITTMEIER

offered the following resolution

which was seconded by **COUNCILMAN KWASNA**

WHEREAS, the position of Laborer currently exists in the Sewer Department;
and

WHEREAS, the position was posted, applicants were interviewed and a
recommendation was made to appoint Warren Alexander to the position.

NOW, THEREFORE, BE IT RESOLVED, effective January 1, 1997, the Town
Board hereby appoints Warren Alexander to the position of Laborer in the Sewer
Department, Group 3, Step 6 of the Operational and Technical Salary Structure; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to
forward a copy of this resolution to Warren Alexander, the Sanitation Superintendent,
the Sewer Department and the Office of Accounting.

THE VOTE

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

The Resolution was thereupon
duly adopted.

Adopted

December 17, 1996

TOWN OF RIVERHEAD

Resolution # 964

**APPOINTS MAINTENANCE MECHANIC II
IN STREET LIGHTING**

COUNCILMAN WITTMER offered the following resolution

which was seconded by **COUNCILMAN KWASNA**

WHEREAS, the position of Maintenance Mechanic II currently exists in Street Lighting; and

WHEREAS, the position was posted, applicants were interviewed and a recommendation was made to appoint Mark Griffin to the position.

NOW, THEREFORE, BE IT RESOLVED, effective January 1, 1997, the Town Board hereby appoints Mark Griffin to the position of Maintenance Mechanic II in Street Lighting, Group 7, Step 4 of the Operational and Technical Salary Structure; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Mark Griffin, the Highway Superintendent, the Town Engineer and the Office of Accounting.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

December 17, 1996

TOWN OF RIVERHEAD

Resolution # 965

TRANSFERS THREE TOWN OF RIVERHEAD EMPLOYEES

COUNCILMAN WITTMER

offered the following resolution

which was seconded by **COUNCILMAN KWASNA**

WHEREAS, the positions of Laborer and Maintenance Mechanic II currently exist in the Water Department and the position of Maintenance Mechanic II exists in the Sewer Department; and

WHEREAS, the positions were posted, applicants were interviewed and recommendations were made to the Town Board Personnel Committee to fill these positions.

NOW, THEREFORE, BE IT RESOLVED, effective January 1, 1997, the Town Board hereby authorizes the following transfers with no change in Group/Step:

EMPLOYEE	DEPT From	DEPT TO	JOB TITLE	GROUP/STEP
Oliver Miles	R & G	WATER	Laborer	3/8
Michael Lech	Sewer	WATER	Maint. Mechanic II	7/6
Joseph Quigley	B & G	SEWER	Maint. Mechanic II	7/3

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Oliver Miles, Michael Lech, Joseph Quigley, the Town Engineer, Sanitation Superintendent, Water Department, Sewer 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.

12/17/96

Adopted

TOWN OF RIVERHEAD

Resolution # 966

AUTHORIZES THE TOWN CLERK TO REPUBLISH AND REPOST NOTICE OF PUBLIC HEARING ON AMENDMENTS TO ARTICLE VII OF THE RIVERHEAD TOWN CODE

COUNCILMAN KWASNA

offered the following resolution, was seconded by

COUNCILMAN WITTMER

WHEREAS, by Resolution No. 896, adopted by the Town Board on November 19, 1996, the Town Clerk was authorized to publish and post Notice of Public Hearing on amendments to Article VII (Chapter 108-27) of the Riverhead Town Code; and

WHEREAS, the official newspaper for the Town of Riverhead did publish said Notice of Public Hearing, but failed to note said additions and/or deletions as set forth in said Notice of Public Hearing; and

WHEREAS, by Resolution No. 912, adopted by the Town Board on December 3, 1996, the Town Clerk was authorized to republish and repost Notice of Public Hearing on amendments to Article VII (Chapter 108-27) of the Riverhead Town Code, to be published once in the December 4, 1996 issue of the official newspaper of the Town of Riverhead; and

WHEREAS, upon error of the official newspaper of the Town of Riverhead, said Notice of Public Hearing was never published in the December 4, 1996.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby authorizes the Town Clerk to republish and repost the attached Public Notice once in the December 21, 1996 issue of the official newspaper of the Town of Riverhead.

THE VOTE

Wittmer	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lui	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 7th day of January, 1996 at 7:25 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider amending Chapter 108 entitled, "Zoning", Article VII. Business A District (Resort Business) of the Riverhead Town Code as follows:

§ 108-27. Uses.

In the Business A (Resort Business) District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for two (2) of the following permitted uses, special permit uses and their customary accessory uses:

A. Permitted uses.

- (1) Beach club and yacht club.
- (2) Dwellings, one-~~and two~~-family.
- (3) ~~Hotel, motel, boatel.~~
- (4) ~~Marine, resort, marina, general.~~
- (5) (3) Offices or meeting rooms of philanthropic, fraternal, social, educational or membership organizations.
- (6) (4) Park, playground.
- (7) ~~Restaurant, except that a drive-in restaurant shall be permitted only by special permit of the Town Board.~~
- (8) (5) Retail store or shop.
- (9) (6) Shop for custom work and for making articles to be sold at retail on the premises.

B. Special permit uses.

- (1) Multiple-family dwellings, apartment houses, ~~garden apartments and condominiums, by special permit of the Town Board.~~
- (2) Tavern, ~~by special permit of the Town Board.~~
- (3) Any other recreational use, ~~by special permit of the Town Board.~~
- (4) Gasoline service stations, ~~by special permit of the Town Board.~~
- (5) (4) Day-care center or nursery school, ~~by special permit of the Town Board.~~
- (6) (5) Bed-and-breakfast, ~~by special permit of the Town Board.~~
- (6) ~~Hotel, motel, and boatel.~~
- (7) ~~Marina, resort, marina, general.~~
- (8) ~~Restaurant.~~

§ 108-31. Residential use.

Any single family residential use in the Business A District shall conform to all requirements

for a residential use in the agricultural use district.

Dated: Riverhead, New York
December 17, 1996

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

- * Underline represents addition(s)
- ** Underscore represents deletion(s)

12/17/96

Adopted

TOWN OF RIVERHEAD

Resolution #967**Authorizes Preparation of Millbrook Gables Revitalization Plan****COUNCILMAN WITTMEIER** offered the following resolution,which was seconded by **COUNCILMAN KWASNA**:

WHEREAS, the Town of Riverhead has undertaken an ongoing housing rehabilitation program to improve the stock of housing throughout the Town; and

WHEREAS, the community known as Millbrook Gables is an identified target area requiring substantial infrastructure and housing improvements in order to reverse the deterioration that characterizes the area; and

WHEREAS, the Long Island Housing Partnership has provided planning and technical assistance services for municipalities in the development of comprehensive plans for undertaking new construction/rehabilitation of housing and infrastructure development.

THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the Supervisor to enter into a contract with the Long Island Housing Partnership for the development of a Residential Revitalization Plan for the Millbrook Gables neighborhood as well as for certain implementation tasks to be identified therein.

BE IT FURTHER RESOLVED that the Town Board authorizes the Long Island Housing Partnership to work in cooperation with the Riverhead Community Development Department and Suffolk County Community Development Office to initiate implementation activities for which funds are or will become available to begin the neighborhood revitalization program.

BE IT FURTHER RESOLVED that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss and Long Island Housing Partnership President Jim Morgo.

Adopted

THE VOTE

Wittmeier	Aye	Nay
Kwasno	Aye	Nay
Lull	Aye	Nay
Prusins	Aye	Nay
Starke	Aye	Nay

The Resolution was thereupon
duly adopted.

12/17/96

Adopted

TOWN OF RIVERHEAD

Resolution # 968

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

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

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

THE VOTE

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

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids will be received by the Town Clerk until 11:00 a.m. on December 30, 1996 at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will be publicly opened and read aloud for:

Disposal of bulk waste

The Request for Bid package may be examined and obtained at the office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901 (Tel. 516-727-3200) on or after December 20, 1996, between the hours of 9:00 a.m and 4:00 p.m, Monday through Friday.

Each bid must be submitted on the forms furnished by the Town of Riverhead with the bid package. Each envelope containing a bid must be sealed and must clearly show the name and address of the bidder and must state: "BID FOR DISPOSAL OF BULK WASTE."

Each bid must be accompanied by a certified check or bid bond conforming to conditions and form set forth in the Request for Bid package, in a sum not less than Five per cent (5%) of the estimated total contract price, as determined by the bid price per ton multiplied by the estimated total tons per year, as estimated by the Town of Riverhead in the Request for Bid package. Failure or refusal to execute a contract and/or deliver the required performance security and insurance certificates, within ten (10) days after award of the bid, will result in forfeiture of the check or bid bond as liquidated damages for abandoning the Contract.

The Town of Riverhead reserves the right to reject any or all bids, to waive irregularities and/or informalities in any bid, and to make an award in any manner consistent with law, deemed in the best interest of the Town. No bid shall be withdrawn pending the decision of the Town Board which shall be made within 45 days of the date of the bid opening.

Dated at: Riverhead, New York
December 17, 1996.

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

12/17/96

Adopted

TOWN OF RIVERHEAD

Resolution # 969

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

COUNCILMAN PRUSINOWSKI

Councilman COUNCILMAN LULL offered the following resolution, which was

seconded by Councilman COUNCILMAN LULL

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

THE VOTE

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

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids will be received by the Town Clerk until 11:00 a.m. on December 30, 1996 at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will be publicly opened and read aloud for:

**Disposal of solid waste generated in offices and facilities
owned and/or operated by the Town of Riverhead.**

The Request for Bid package may be examined and obtained at the office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901 (Tel. 516-727-3200) on or after December 20, 1996, between the hours of 9:00 a.m and 4:00 p.m, Monday through Friday.

Each bid must be submitted on the forms furnished by the Town of Riverhead with the bid package. Each envelope containing a bid must be sealed and must clearly show the name and address of the bidder and must state: "BID FOR DISPOSAL OF SOLID WASTE GENERATED IN TOWN FACILITIES."

Each bid must be accompanied by a certified check or bid bond conforming to conditions and form set forth in the Request for Bid package, in a sum not less than Five per cent (5%) of the estimated total contract price, as determined by the bid price per ton multiplied by the estimated total tons per year, as estimated by the Town of Riverhead in the Request for Bid package. Failure or refusal to execute a contract and/or deliver the required performance security and insurance certificates, within ten (10) days after award of the bid, will result in forfeiture of the check or bid bond as liquidated damages for abandoning the Contract.

The Town of Riverhead reserves the right to reject any or all bids, to waive irregularities and/or informalities in any bid, and to make an award in any manner consistent with law, deemed in the best interest of the Town. No bid shall be withdrawn pending the decision of the Town Board which shall be made within 45 days of the date of the bid opening.

Dated at: Riverhead, New York
December 17, 1996.

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

December 17, 1996

Adopted

TOWN OF RIVERHEAD
Resolution # 970

ROUTE 58 SEWER EXTENSION

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:

	FROM:	
406.081300.494200.20007	PROCEEDS FROM SERIAL BONDS	\$741,400.
	TO:	
406.081300.547500.20007	WASTE DISPOSAL EXPENSE	\$237,500.
406.081300.523012.20007	CONSTRUCTION EXPENSE	365,000.
406.081300.543504.20007	ENGINEERING EXPENSE	72,900.
406.081300.547900.20007	CONTINGENCY	36,000.
406.081300.543320.20007	LEGAL EXPENSE	30,000.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard Ehlers, Esq.

THE VOTE

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

The Resolution was thereupon duly adopted.

12/17/96

TOWN OF RIVERHEAD

Adopted

Resolution # 971

AUTHORIZES THE SUPERVISOR TO EXECUTE CHANGE ORDER FOR RIVERHEAD WATER DISTRICT EXTENSION NO. 49

COUNCILMAN WITTMEIER offered the following resolution, was seconded by

COUNCILMAN KWASNA :

WHEREAS, on June 4, 1996, the Riverhead Town Board adopted Resolution No. 430, entitled, "Awards Bid for Extension No. 49, Riverhead Water District, Middle Road and Harrison Avenue"; and

WHEREAS, the bid was awarded to Elmore Associates , Inc., in the amount of One Hundred Thousand One Hundred Six (\$100,106.00) Dollars; and

WHEREAS, it has become necessary for Elmore Associates, Inc. to perform additional labor and provide additional materials as set forth in Change Order No. 1.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute the attached change order increasing the contract amount by Six Thousand Seven Hundred Eleven and 90/100 (\$6,711.90) Dollars to cover the cost of the above labor and materials; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Elmore Associates, Inc.; Holzmacher, McLendon & Murrell, P.C.; the Riverhead Water District and the Office of Accounting.

THE VOTE

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

The Resolution was thereupon duly adopted.

offered the following Resolution which was seconded by

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

*****ACCOUNTS*****	*CD - 12/2/96*	**CHECKRUN TOTALS*	***GRAND TOTALS***
GENERAL TOWN 001	\$500,000.00	\$687,937.77	\$1,187,937.77
PARKING METER 002	\$22,000.00	\$3,750.00	\$25,750.00
AMBULANCE FUND 003	\$22,000.00	\$0.00	\$22,000.00
POLICE ATHLETIC LEAGUE 004	\$8,000.00	\$2,666.00	\$10,666.00
TEEN CENTER 005	\$0.00	\$94.00	\$94.00
RECREATION PROGRAM 006	\$0.00	\$1,754.74	\$1,754.74
SENIOR NUTRITION SITE COUNCIL 007	\$0.00	\$0.00	\$0.00
D.A.R.E. PROGRAM FUND 008	\$0.00	\$0.00	\$0.00
CHILD CARE BUILDING FUND 009	\$0.00	\$0.00	\$0.00
SENIOR CITIZEN DAYCARE CENTER 027	\$0.00	\$830.05	\$830.05
HIGHWAY 111	\$200,000.00	\$66,946.37	\$266,946.37
WATER 112	\$100,000.00	\$38,473.72	\$138,473.72
REPAIR & MAINTENANCE 113	\$310,000.00	\$0.00	\$310,000.00
SEWER 114	\$250,000.00	\$52,389.16	\$302,389.16
REFUSE & GARBAGE COLLECTION 115	\$0.00	\$122,425.78	\$122,425.78
STREET LIGHTING 116	\$0.00	\$5,715.84	\$5,715.84
PUBLIC PARKING 117	\$95,000.00	\$3,233.14	\$98,233.14
BUSINESS IMPROVEMENT DISTRICT 118	\$60,000.00	\$3,717.36	\$63,717.36
TOR URBAN DEV CORP TRUST ACCT 119	\$0.00	\$0.00	\$0.00
WORKER'S COMPENSATION FUND 173	\$20,000.00	\$0.00	\$20,000.00
HOSPITALIZATION SELF INSURANCE 174	\$1,000.00	\$0.00	\$1,000.00
RISK RETENTION FUND 175	\$34,000.00	\$0.00	\$34,000.00
UNEMPLOYMENT INSURANCE FUND 176	\$15,000.00	\$0.00	\$15,000.00
MAIN STREET REHAB PROGRAM 177	\$0.00	\$0.00	\$0.00
REVOLVING LOAN PROGRAM 178	\$0.00	\$2,586.14	\$2,586.14
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	\$651.23	\$651.23
URBAN DEVEL CORP WORKING 182	\$0.00	\$0.00	\$0.00
RESTORE 184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT 381	\$19,000.00	\$0.00	\$19,000.00
SEWER DISTRICT DEBT 382	\$5,000.00	\$0.00	\$5,000.00
WATER DEBT 383	\$600,000.00	\$46,875.65	\$646,875.65
GENERAL FUND DEBT SERVICE 384	\$245,000.00	\$55,748.10	\$300,748.10
SCAVENGER WASTE DISTRICT DEBT 385	\$22,000.00	\$0.00	\$22,000.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00	\$0.00	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$10,000.00	\$6,849.42	\$16,849.42
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	\$3,900.00	\$3,900.00
YOUTH SERVICES 452	\$18,000.00	\$1,808.69	\$19,808.69
SENIORS HELPING SENIORS 453	\$0.00	\$1,849.90	\$1,849.90
EISEP 454	\$0.00	\$7,829.57	\$7,829.57
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$190,000.00	\$0.00	\$190,000.00
MUNICIPAL GARAGE 626	\$5,000.00	\$3,413.52	\$8,413.52
TRUST & AGENCY 735	\$0.00	\$728,033.05	\$728,033.05
SPECIAL TRUST 736	\$65,000.00	\$0.00	\$65,000.00
COMMUNITY DEVELOPMENT AGENCY 915	\$200,000.00	\$0.00	\$200,000.00
JOINT SCAVENGER WASTE 918	\$0.00	\$9,125.20	\$9,125.20
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$0.00	\$0.00
*****TOTALS*****	\$3,016,000.00	\$1,858,604.40	\$4,874,604.40

offered the following Resolution which was seconded by

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	\$106,650.54	\$106,650.54
PARKING METER 002	\$0.00	\$0.00	\$0.00
AMBULANCE FUND 003	\$0.00	\$0.00	\$0.00
POLICE ATHLETIC LEAGUE 004	\$0.00	\$142.30	\$142.30
TEEN CENTER 005	\$0.00	\$0.00	\$0.00
RECREATION PROGRAM 006	\$0.00	\$0.00	\$0.00
SENIOR NUTRITION SITE COUNCIL 007	\$0.00	\$0.00	\$0.00
D.A.R.E. PROGRAM FUND 008	\$0.00	\$0.00	\$0.00
CHILD CARE BUILDING FUND 009	\$0.00	\$0.00	\$0.00
SENIOR CITIZEN DAYCARE CENTER 027	\$0.00	\$114.61	\$114.61
HIGHWAY 111	\$0.00	\$9,745.40	\$9,745.40
WATER 112	\$0.00	\$10,020.90	\$10,020.90
REPAIR & MAINTENANCE 113	\$0.00	\$0.00	\$0.00
SEWER 114	\$0.00	\$11,978.50	\$11,978.50
REFUSE & GARBAGE COLLECTION 115	\$0.00	\$4,435.86	\$4,435.86
STREET LIGHTING 116	\$0.00	\$28,235.88	\$28,235.88
PUBLIC PARKING 117	\$0.00	\$2,351.63	\$2,351.63
BUSINESS IMPROVEMENT DISTRICT 118	\$0.00	\$0.00	\$0.00
TOR URBAN DEV CORP TRUST ACCT 119	\$0.00	\$0.00	\$0.00
WORKER'S COMPENSATION FUND 173	\$0.00	\$0.00	\$0.00
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	\$455.00	\$455.00
DISCRETIONARY/SMALL CITIES 180	\$0.00	\$0.00	\$0.00
CDBG CONSORTIUM ACCOUNT 181	\$0.00	\$150.00	\$150.00
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	\$0.00	\$0.00
WATER DEBT 383	\$0.00	\$0.00	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00	\$126,893.40	\$126,893.40
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	\$640.00	\$640.00
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	\$490.24	\$490.24
SENIORS HELPING SENIORS 453	\$0.00	\$82.31	\$82.31
EISEP 454	\$0.00	\$82.77	\$82.77
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00	\$6,351.42	\$6,351.42
MUNICIPAL GARAGE 626	\$0.00	\$11,107.97	\$11,107.97
TRUST & AGENCY 735	\$0.00	\$15,546.82	\$15,546.82
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	\$9,125.09	\$9,125.09
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$0.00	\$0.00
*****TOTALS*****	\$0.00	\$344,600.64	\$344,600.64

AdoptedTOWN OF RIVERHEADRESOLUTION # 973

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS FOR SEALED BIDS FOR JUNK/ABANDONED VEHICLES.

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

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to advertise for sealed bids for junk/abandoned vehicles.

BE IT FURTHER RESOLVED, said bids are to be opened and read aloud publicly on January 13, 1997, at 11:00 a.m. A report of said bid opening will be made to the Town Board, by the Town Clerk, the morning following the opening of the bids.

BY ORDER OF THE RIVERHEAD TOWN BOARD,

Barbara Grattan, Town Clerk

Dated: December 17, 1996
Riverhead, New York

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

The Resolution was thereupon duly adopted.

NOTICE TO BIDDERS

TAKE NOTICE, that sealed bids will be received from licensed junk dealers only, by the Town Clerk, Town of Riverhead, 200 Howell Avenue, Riverhead, New York, until 11:00 a.m. on January 13, 1997, for a per vehicle bid on junk/abandoned vehicles, in possession of the Town of Riverhead, pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York, at which time and place they will be publicly opened and read aloud.

A Certificate of Non-collusion must accompany each bid. The Town of Riverhead reserves the right to reject any and all bids.

Bidders are required to enclose a valid, current Dismantelers License with sealed bid.

Conditions and Specifications may be obtained from the Town Clerk's Office, Town of Riverhead, 200 Howell Avenue, Riverhead, New York.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD,

BARBARA GRATTAN
TOWN CLERK

Adopted

1966

TOWN OF RIVERHEAD

RESOLUTION # 974

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS FOR SEALED BIDS FOR JUNK/ABANDONED MOTORCYCLES/MOPEDS.

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

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to advertise for sealed bids for junk/abandoned motorcycles/mopeds.

BE IT FURTHER RESOLVED, said bids are to be opened and read aloud publicly on January 13, 1997, at 11:00 a.m. A report of said bid opening will be made to the Town Board, by the Town Clerk, the morning following the opening of the bids.

BY ORDER OF THE RIVERHEAD TOWN BOARD,

Barbara Grattan, Town Clerk

Dated: December 17, 1996
Riverhead, New York

THE VOTE

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

The Resolution was thereupon duly adopted.

NOTICE TO BIDDERS

TAKE NOTICE, that sealed bids will be received from licensed junk dealers only, by the Town Clerk, Town of Riverhead, 200 Howell Avenue, Riverhead, New York, until 11:00 a.m. on January 13, 1997, for a per motorcycle/moped bid on junk/abandoned motorcycles/mopeds, in possession of the Town of Riverhead, pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York, at which time and place they will be publicly opened and read aloud.

A Certificate of Non-collusion must accompany each bid. The Town of Riverhead reserves the right to reject any and all bids.

Bidders are required to enclose a valid, current Dismantelers License with sealed bid.

Conditions and Specifications may be obtained from the Town Clerk's Office, Town of Riverhead, 200 Howell Avenue, Riverhead, New York.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD,

BARBARA GRATTAN
TOWN CLERK