

6/4/96

Adopted

TOWN OF RIVERHEAD

Resolution # 429

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

COUNCILMAN PRUSINOWSKI

offered the following resolution,

which was seconded by COUNCILMAN LULL:

RESOLVED, that the Town Clerk be and is hereby directed to publish and post the attached public notice to amend the time of a regular Town Board meeting 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	<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
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that the time for the next regularly scheduled meeting of the Town Board, to be held on June 18, 1996, at Town Hall, 200 Howell Avenue, Riverhead, New York, shall be at **2:00 P.M.** on that day.

Dated: Riverhead, New York
June 4, 1996

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

6/4/96

AWARDS BID FOR EXTENSION NO. 49, RIVERHEAD WATER DISTRICT
MIDDLE ROAD AND HARRISON AVENUE

TOWN OF RIVERHEAD

Adopted _____

Resolution #430

COUNCILMAN LULL

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

WHEREAS, this Town Board did authorize the advertisement for bids for the installation of water mains and appurtenances for an extension to the Riverhead Water District to be known as Extension No. 49 in the vicinity of Middle Road and Harrison Avenue, and

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

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

WHEREAS, by letter dated May 13, 1996, H2M, consulting engineers to the Town of Riverhead Water District, did recommend that the bid be awarded to Elmore Associates, Inc. of Medford, New York, in the amount of \$100,106.00, the lowest responsible bidder,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Extension No. 49 to the Riverhead Water District, be and is hereby awarded to Elmore Associates, Inc. of Medford, New York, in the amount of \$100,106.00, the lowest responsible bidder, and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to Elmore Associates, Inc. H2M, Gary Pendzick, and Pierre G. Lundberg, Esq.

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

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

JUNE 4, 1996

Adopted

AWARDS BID FOR STREET LIGHT AND TRAFFIC SIGNAL MAINTENANCE PARTS

RESOLUTION # 431

COUNCILMAN KWASNA OFFERED THE FOLLOWING RESOLUTION,
WHICH WAS SECONDED BY COUNCILMAN WITTMEIER.

WHEREAS, the Town Clerk was authorized to publish and post a Notice To Bidders for STREET LIGHT AND TRAFFIC SIGNAL MAINTENANCE PARTS; and

WHEREAS, bids were received, opened and read aloud on the 20th day of May, 1996, at 11:10 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, the date, time and place given in the Notice To Bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for STREET LIGHT AND TRAFFIC SIGNAL MAINTENANCE PARTS be, and hereby is, awarded to:

CAPTRE ELECTRICAL SUPPLY CORP. - Items 4, 5, 21, 21a, 21b, 21c, 22, and 34.

REVCO ELECTRICAL SUPPLY - Items 1, 2, 3, 6, 7, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, and 35.

SCHWING ELECTRICAL SUPPLY - Items 8, 14, 23, 24, 25, 27, 28, 29, 30, 31, 32, and 33.

RESOLVED, that the Town Board hereby directs the Town Clerk to return any and all bid bonds received in connection with the above.

RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a certified copy of this resolution to CAPTRE ELECTRICAL SUPPLY CORP., REVCO ELECTRICAL SUPPLY AND SCHWING ELECTRICAL SUPPLY, Town Engineer and the Accounting Department.

Adopted

6/4/96

TOWN OF RIVERHEAD

RESOLUTION #432
DATED JUNE 4, 1996

AUTHORIZING PUBLICATION OF NOTICE TO AMEND COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM

COUNCILMAN WITTMEIER

offered the following

resolution, which was seconded by COUNCILMAN KWASNA.

WHEREAS, it is the desire of the Town of Riverhead to amend its FY93 and FY 95 Community Development Block Grant program; and

WHEREAS, such an amendment requires notification of the public prior to submission of the amendment for transfer of funds and budget modification in order to provide an opportunity for comment.

THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice in the Suffolk County Life on Wednesday, June 5, 1996; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be provided to Andrea Lohneiss, Community Development Director and Joseph Sanseverino, Director, Suffolk County Community Development.

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.

PUBLIC NOTICE
 AMENDMENT TO TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT PROGRAM

The Town of Riverhead is proposing the following changes to its Community Development Block Grant Program:

Year XIX (FY93)

<u>Activity</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Demolition/Clearance Rimland Building	\$ 45,000	(\$45,000)	-0-
Public Facilities Improvements Benjamin/Corwin	-0-	\$45,000	\$45,000

Year XIX (FY93)

Street Lighting Pulaski Street	\$ 12,500	(\$3,500)	\$9,000
Union Street Curbing	-0-	\$3,500	\$3,500

Interested citizens should address comments to:
 Town of Riverhead
 Community Development Office
 200 Howell Avenue
 Riverhead, New York 11901
 727-3200 Ext. 238

**June 5, 1996 Suffolk County Life

June 4, 1996

Adopted

TOWN OF RIVERHEAD

Resolution # 433

AUTHORIZES TOWN CLERK TO PUBLISH AND POST
ANNUAL FINANCIAL REPORT SUMMARY
FOR THE YEAR ENDING 1995

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

RESOLVED, that the Town Clerk be and hereby is authorized to publish and post the Town of Riverhead Annual Financial Report Summary, as attached, for the year ending 1995.

THE VOTE

Wittmeler	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

(SUMMARY)

TOWN OF RIVERHEAD
ANNUAL FINANCIAL REPORT
FOR THE YEAR
ENDING 1995

	01/01/95 FUND EQUITY (Both Reserved & Unreserved)	REVENUES & OTHER SOURCES	EXPENDITURES & OTHER USES	12/31/95 FUND EQUITY (Both Reserved & Unreserved)
GENERAL FUND	\$4,038,197.00	\$15,115,152.00	\$15,160,799.00	\$3,992,550.00
HIGHWAY FUND	\$577,776.00	\$2,357,837.00	\$2,611,058.00	\$324,555.00
COMMUNITY DEVELOPMENT	\$369,380.00	\$113,025.00	\$180,960.00	\$301,445.00
STREET LIGHTING DISTRICT	\$135,863.00	\$692,168.00	\$502,623.00	\$325,408.00
REFUSE & GARBAGE DISTRICT	\$464,704.00	\$2,292,014.00	\$2,940,081.00	(\$183,363.00)
WATER DISTRICT	\$1,998,464.00	\$3,346,864.00	\$3,560,440.00	\$1,784,888.00
SEWER DISTRICT	\$1,094,030.00	\$1,045,046.00	\$1,859,504.00	\$279,572.00
PUBLIC PARKING DISTRICT	\$156,602.00	\$445,815.00	\$357,025.00	\$245,392.00
RISK RETENTION FUNDS	\$1,152,208.00	\$126,094.00	\$247,893.00	\$1,030,409.00
BUSINESS IMPROV'T DISTRICT	\$38,625.00	\$115,359.00	\$90,584.00	\$63,400.00
DEBT SERVICES FUNDS	\$1,438,432.00	\$3,220,424.00	\$3,325,301.00	\$1,333,555.00
CAPITAL PROJECT FUNDS	(\$422,770.00)	\$2,689,303.00	\$4,056,543.00	(\$1,790,010.00)
INTERNAL SERVICE FUNDS	\$494,518.00	\$280,447.00	\$260,556.00	\$514,409.00
SELF INSURANCE FUNDS	\$145,745.00	\$271,118.00	\$116,656.00	\$300,207.00
EXPENDABLE TRUST	\$50,746.00	\$252,489.00	\$129,350.00	\$173,885.00
TOTAL	\$11,732,520.00	\$32,363,155.00	\$35,399,373.00	\$8,696,302.00

TOWN OF RIVERHEAD
STATEMENT OF INDEBTEDNESS
AS OF DEC. 31, 1995

INDEBTEDNESS OUTSTANDING AS OF 01/01/95	ISSUED DURING THE FISCAL YEAR	PAID DURING THE FISCAL YEAR	INDEBTEDNESS OUTSTANDING AS OF 12/31/95
\$24,466,900.00	\$294,000.00	\$1,944,400.00	\$22,816,500.00

(SUMMARY)

Adopted

6/4/96

TOWN OF RIVERHEAD

Resolution # 434

AMENDS RESOLUTION #343

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN PRUSINOWSKI

WHEREAS, resolution #343 adopted by the Town Board of the Town of Riverhead on May 7, 1996, approved the appointment of a Senior Citizen Aide to the Nutrition Center/Seniors Programs; and

WHEREAS, said resolution incorrectly appointed Debra Schwarz to the position of Recreation Aide and should have correctly appointed her to the position entitled, Senior Citizen Aide.

NOW THEREFORE BE IT RESOLVED, that the appointment of Debra Schwarz to the position of Senior Citizen Aide on Step P, Group 2 of the Clerical and Supervisory Salary Schedule at an annual salary of \$17,653.97 be and is hereby approved; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Debra Schwarz, 5326 Sound Avenue, Riverhead, New York, 11901; the Deputy Supervisor; the Nutrition Center and the Office of Accounting.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

6/4/96

TOWN OF RIVERHEAD

Resolution # 435

ADOPTS AMENDMENT TO TO CHAPTER 48 "BEACHES AND RECREATION CENTERS" OF THE RIVERHEAD TOWN CODE

COUNCILMAN KWASNA offered the following resolution, was seconded by

COUNCILMAN WITTMEIER

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an amendment to Chapter 48, Beaches and Recreation Centers. of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 7th day of May, 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 an amendment to Chapter 48 Beaches and Recreation Centers. 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 Planning Board; the Building Department; the Riverhead Recreation Center; the Suffolk County Planning Commission; the L.I. State Park Division; the Towns of Brookhaven, Southold and Southampton and the L.I. Pine Barrens Review Commission.

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 ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted the following amendment to the Riverhead Town Code at its regular meeting held on June 4, 1996:

~~§48-13. Parking and parking permits.~~

~~A. (11) Parking area at boat launching facility, Peconic Bay Boulevard, South Jamesport.~~

Dated: Riverhead, New York
June 4, 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

TB 6/4/96

TOWN OF RIVERHEAD

RESOLUTION # 436
ADOPTED JUNE 4, 1996

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR
ONE 4TSU ASPHALT STORAGE UNIT

COUNCILMAN WITTMEIER OFFERED THE FOLLOWING RESOLUTION WHICH

AS SECONDED BY COUNCILMAN KWASNA.

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND IS HEREBY AUTHORIZED TO ADVERTISE FOR SEALED BIDS FOR ONE 4TSU ASPHALT STORAGE UNIT FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THE SPECIFICATIONS AND BID FORMS BE PREPARED BY THE SUPERINTENDENT OF HIGHWAYS, AND ALL BIDS BE RETURNABLE UP TO 11:00 A.M. ON JUNE 17, 1996 AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND IS HEREBY AUTHORIZED TO OPEN PUBLICLY AND READ ALOUD ON JUNE 17, 1996 AT 11:00 A.M. AT THE TOWN CLERK'S OFFICE, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK ALL SEALED BIDS BEARING THE DESIGNATION "BID ON ONE 4TSU ASPHALT STORAGE UNIT".

CBB/sb

THE VOTE

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

The Resolution was thereupon
duly adopted.

NOTICE TO BIDDERS

SEALED BIDS FOR THE PURCHASE OF ONE 4TSU ASPHALT STORAGE UNIT FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT WILL BE RECEIVED BY THE TOWN CLERK OF THE TOWN OF RIVERHEAD AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901 UNTIL 11:00 A.M. ON JUNE 17, 1996.

INSTRUCTIONS FOR BIDDERS, SPECIFICATIONS AND FORMS MAY BE OBTAINED AT THE OFFICE OF THE TOWN CLERK AT THE TOWN HALL MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:30 A.M. AND 4:30 P.M..

ALL BIDS WILL BE SUBMITTED ON THE BID FORM PROVIDED. ANY AND ALL EXCEPTIONS TO THE SPECIFICATIONS WILL BE LISTED ON A SEPARATE SHEET OF PAPER BEARING THE DESIGNATION "EXCEPTIONS TO THE SPECIFICATIONS", AND ATTACHED TO THE BID FORM.

THE TOWN BOARD RESERVES THE RIGHT AND RESPONSIBILITY TO REJECT ANY OR ALL BIDS OR WAIVE ANY FORMALITIES IF IT BELIEVES SUCH ACTION TO BE IN THE BEST INTEREST OF THE TOWN.

ALL BIDS WILL BE SUBMITTED IN A SEALED ENVELOPE BEARING THE DESIGNATION "BID ON ONE 4TSU ASPHALT STORAGE UNIT".

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

DATE: June 5, 1996

6/4/96

Adopted

TOWN OF RIVERHEAD

Resolution # 437

RELEASES PERFORMANCE BOND OF AGWAY

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

WHEREAS, Valerie Lionetti of Agway had posted a performance bond in the sum of \$1,050.00, for the installation of a propane tank at 1122 Osborne Avenue, Riverhead; and

WHEREAS, by memorandum dated May 30, 1996 from Raymond Wiwczar, Sr. Building Inspector of the Riverhead Building Department, said installation has been completed to the Building Department's satisfaction and a Certificate of Occupancy #12559 has issued for said installation.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of said performance bond in the sum of One Thousand Fifty (\$1,050.00) Dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Agway, c/o Valerie Lionetti, 1122 Osborne Avenue, Riverhead, New York, 11901; Riverhead Town Building Department; Riverhead Town Planning Department and the Accounting Department.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

6/4/96

TOWN OF RIVERHEAD

Resolution # 438

DECLARES SUPPORT FOR A REFERENDUM ON THE CREATION OF PECONIC COUNTY

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

WHEREAS, the creation of Peconic County is an item of concern to the residents of the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead hereby wishes to declare its support of an advisory referendum on the November 1996 ballot to consider the creation of Peconic County.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby declares its support of an advisory referendum to consider the creation of Peconic County and urges that New York Assembly Bill A.6382-A be passed; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Hon. Sheldon Silver, Speaker of the Assembly, Room 932 LOB, Albany, New York, 12248; Hon. Vincent Cannuscio, 115 Hampton Road, Southampton, New York, 11968; Hon. Huson B. Sherman, P.O. Box 970, Shelter Island, New York, 11964; Hon. Jean W. Cochran, Main Road, Southold, New York, 11971; and Hon. Cathy Lester, 159 Pantigo Road, East Hampton, New York, 11937.

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

6/04/96

TOWN OF RIVERHEAD

Resolution # 439

APPOINTS LIFEGUARD
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KWASNA

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

RESOLVED, that Justin Martin is hereby appointed to serve as a Lifeguard effective June 22, 1996 to and including September 2, 1996, to be paid biweekly at the rate of \$7.25 per hour and to serve at the pleasure of the Town Board.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Luli	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon
duly adopted.

Adopted

6/04/96

TOWN OF RIVERHEAD

Resolution # 440

APPOINTS RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KWASNA

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

RESOLVED, that Larry Chizever is hereby appointed to serve as a Recreation Aide (for the purpose of being a Tennis Instructor) effective June 22, 1996 to and including August 31, 1996, to be paid biweekly at the rate of \$20.00 per hour and to serve at the pleasure of the Town Board.

THE VOTE

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

The Resolution was thereupon
duly adopted.

Adopted

8/04/96

TOWN OF RIVERHEAD

Resolution # 441

APPOINTS FILL-IN LIFEGUARDS
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KWASNA

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

RESOLVED, that Stephen Burns, Stephen Swiatocha, Evan Bucholz and Catherine Byrne are hereby appointed to serve as Fill-In Lifeguards effective June 22, 1996 to and including September 2, 1996, to be paid biweekly at the rate of \$7.00 per hour and to serve at the pleasure of the Town Board.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lu...	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon
duly adopted.

Adopted

6/04/96

TOWN OF RIVERHEAD

Resolution # 442

APPOINTS FILL-IN SCOREKEEPER
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KWASNA

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

RESOLVED, that Richard Park is hereby appointed to serve as a Fill-In Scorekeeper effective May 8, 1996 to and including December 31, 1996, to be paid biweekly at the rate of \$12.00 per game and to serve at the pleasure of the Town Board.

THE VOTE

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

The Resolution was thereupon
duly adopted.

Adopted

6/4/96

TOWN OF RIVERHEAD

Resolution # 443RELEASES PERFORMANCE BOND OF SELPAN ENTERPRISES, LTD.

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

WHEREAS, Anthony Naples of Selpan Enterprises, Ltd. had posted a performance bond in the sum of \$19,908.00, for the construction of a wholesale/retail motor vehicle store on Route 58, Riverhead; and

WHEREAS, by memorandum dated May 29, 1996 from Raymond Wiwczar, Sr. Building Inspector of the Riverhead Building Department, said construction has been completed to the Building Department's satisfaction and a Certificate of Occupancy #12683 has issued for said construction.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of said performance bond in the sum of Nineteen Thousand Nine Hundred and Eight (\$19,908.00) Dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Anthony Naples, Selpan Enterprises, Ltd., 3070 Route 112, Medford, New York, 11763; Riverhead Town Building Department; Riverhead Town Planning Department and the Accounting Department.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

6/4/96

TOWN OF RIVERHEAD

Resolution # 444

ADOPTS AMENDMENT TO TO CHAPTER 48 "BEACHES AND RECREATION CENTERS" OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an amendment to Chapter 48, Beaches and Recreation Centers. of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 4th day of June, 1996 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that an amendment to Chapter 48 Beaches and Recreation Centers. 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 Planning Board; the Building Department; the Riverhead Recreation Center; the Suffolk County Planning Commission; the L.I. State Park Division; the Towns of Brookhaven, Southold and Southampton and the L.I. Pine Barrens Review Commission.

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 ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted the following amendment to the Riverhead Town Code at its regular meeting held on June 4, 1996:

ARTICLE IV
Town Boat Ramp Areas

§48-27. Licensing of vehicles required.

- A. No vehicle shall be allowed to enter upon or park at any boat ramp area owned, leased, operated or maintained by the Town of Riverhead unless it is licensed as herein provided.
- B. Town boat ramp areas.

For the purposes of this section, the term "town boat ramp areas" shall include the following:

- (1) Parking area at boat launching facility, Peconic Bay Boulevard, South Jamesport.
- C. Application for boat ramp permits; issuance, expirations.
- (1) Resident permits. A resident permit issued in accordance with 48-13 (B)(1) shall entitle a resident access to and use of town boat ramps.
- (2) Nonresident parking permit.
- (a) A nonresident parking permit shall be issued by the Riverhead Recreation Department to all persons who do not qualify as residents as defined in §48-13(B)(1)(a) hereof.
- (b) The fee for the issuance of a nonresident parking permit shall be five dollars (\$5.00) annually.
- (c) A nonresident parking permit issued in accordance with §48-13(B)(2) shall entitle a nonresident access to and use of town boat ramps.

Dated: Riverhead, New York
June 4, 1996

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

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

6/4/96

Adopted

TOWN OF RIVERHEAD

Resolution # 445

TERMINATES EMPLOYMENT OF DONALD GREEN

COUNCILMAN PRUSINOWSKI offered the following resolution, was seconded by

COUNCILMAN LULL :

WHEREAS, Donald Green has been absent from work for more than one (1) year due to disability resulting from an occupational injury or disease as defined in the Workers' Compensation Law (Civil Service Law §71) or a disability not resulting from an occupational injury or disease as defined in the Workers' Compensation Law (Civil Service Law §73); and

WHEREAS, pursuant to sections 71 and 73 of the New York State Civil Service Law, the Town of Riverhead has the right to terminate employment due to cumulative or continuous absences from work for one (1) work year; and

WHEREAS, by letter dated April 23, 1996, Donald Green has been fully advised of his rights under Civil Service Law sections 71 and 73 and received notice of hearing wherein he had an opportunity to be heard and present evidence and contest same; and

WHEREAS, the Town Board of the Town of Riverhead has considered all testimony and evidence presented at the May 28, 1996 hearing.

NOW THEREFORE BE IT RESOLVED, that because Donald Green has been absent in excess of one (1) year, his employment with the Town of Riverhead is hereby terminated as of June 5, 1996; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Donald Green, P.O. Box 103, Manorville, New York, 11949; the Riverhead Police Department; the Riverhead Superior Officers Association; 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.

JUNE 4, 1996

Adopted

AWARDS BID FOR WOOD CHIPS - WOOD FIBER PLAYGROUND SURFACE MATERIALRESOLUTION # 446**COUNCILMAN LULL**

OFFERED THE FOLLOWING RESOLUTION,

WHICH WAS SECONDED BY **COUNCILMAN PRUSINOWSKI**.

WHEREAS, the Town Clerk was authorized to publish and post a Notice To Bidders for **WOOD CHIPS - WOOD FIBER PLAYGROUND SURFACE MATERIAL** and;

WHEREAS, bids were received, opened and read aloud on the 23rd day of May, 1996, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, the date, time and place given in the Notice To Bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for **WOOD CHIPS - WOOD FIBER PLAYGROUND SURFACE MATERIAL** be, and hereby is, awarded to **PARK, PLAYGROUND, RECREATION PRODUCTS, INC.** in the amount of \$18.33/cy.

RESOLVED, that the Town Board hereby directs the Town Clerk to return any and all bid bonds received in connection with the above.

RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a certified copy of this resolution to **PARK, PLAYGROUND, RECREATION PRODUCTS, INC.** and all Town Hall Departments.

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

JUNE 4, 1996

TOWN OF RIVERHEAD

Resolution # 447

AMENDS SALARIES OF SUMMER INTERNS

IN THE ACCOUNTING DEPARTMENT

COUNCILMAN KWASNA

offered the following resolution ,

which was seconded by

COUNCILMAN WITTMER

NOW, THEREFORE, BE IT RESOLVED, effective June 1, 1996 the Town Board hereby authorizes the hourly rate of pay to Lauren Swotkewicz and Tanya Diem to be \$8.25 ; and

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

THE VOTE

Wittmer	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

JUNE 4, 1996

TOWN OF RIVERHEAD

Resolution # 448

APPOINTS 90 DAY SUMMER LABORERS

TO THE HIGHWAY DEPARTMENT

COUNCILMAN WITTMEIER offered the following resolution ,

which was seconded by **COUNCILMAN KWASNA**

WHEREAS, the Town Board advertised for 90 Day Summer Laborers; and

WHEREAS, applications were received, and recommendations were forwarded to the Personnel Committee.

NOW, THEREFORE, BE IT RESOLVED, effective June 5, 1996, the Town Board hereby authorizes the appointments of James H. Scruggs, Jr. and George A. Ybarra to the position of 90 Day Summer Laborer at an hourly rate of pay of \$7.80; and

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

c:\word\res\hire90da.doc\k

THE VOTE

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

The Resolution was thereupon **duly adopted.**

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 449

APPOINTS YOUNG & YOUNG FOR LINCOLN STREET DRAINAGE AND CURBING MODIFICATIONS

ADOPTED: June 4, 1996

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

WHEREAS, the Town of Riverhead anticipates securing funds to perform curbing and drainage modifications in the area known as Lincoln Street, Riverhead, adjacent to the Polish Town Civic Association fair ground property; and

WHEREAS, in order to proceed, it is necessary to secure the services of a land surveyor to prepare a survey and develop a plan to complete said project.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Riverhead wishes to secure the services of Young & Young to prepare a survey and develop a plan to complete the curbing and drainage modifications in the amount of \$2,200; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Young & Young, 400 Ostrander Avenue, Riverhead, NY 11901, Ken Testa and the Office of Accounting.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

June 4, 1996

TOWN OF RIVERHEAD

Resolution # 450

WATER EXTENSION #49
(Middle Road & Harrison Avenue)

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN LULL

offered the following resolution ,

which was seconded by

COUNCILMAN PRUSINOWSKI

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

	FROM:	
6.099010.482220.30049	REPAIR & MAINTENANCE RESERVE	\$126,000.
		TO:
406.083200.523002.30049	CONSTRUCTION EXPENSE	\$100,200.
406.083200.543501.30049	ENGINEERING EXPENSE	18,700.
406.083200.543315.30049	LEGAL EXPENSE	2,500.
406.083200.547900.30049	CONTINGENCY	4,600.

THE VOTE

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

The Resolution was thereupon
duly adopted.

June 4, 1996

TOWN OF RIVERHEAD

Resolution # 451

GENERAL FUND

BUDGET ADJUSTMENT

COUNCILMAN KWASNA offered the following resolution ,

which was seconded by COUNCILMAN WITTMEIER

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

		FROM:
011100.524000	JUSTICE, EQUIPMENT	\$ 35.
011100.513500	JUSTICE, LONGEVITY	75.
013100.542700	FINANCE, COMPUTER SUPPLIES	100.
014200.542100	TOWN ATTORNEY, OFFICE SUPPLIES	500.
016250.547504	BUILDINGS & GROUNDS, SANITATION EXP.	5,000.
031200.524350	POLICE, LAW LIBRARY	500.
090400.583100	WORKERS' COMPENSATION, POLICE	21,060.
012665.464200	SALE OF EQUIPMENT	13,000.
069890.543405	E.D. TASK FORCE COMMISSION, TRAVEL	600.
042100.542100	D.A.P.C. SUPPLIES & MATERIALS	260.

		TO:
001.011100.542100	JUSTICE, MISC. SUPPLIES	\$ 110.
001.013100.543405	FINANCE, TRAVEL EXPENSE	100.
001.014200.524350	TOWN ATTORNEY, BOOKS	500.
001.016250.524000	BUILDINGS & GROUNDS, EQUIPMENT	18,000.
001.031200.542802	POLICE, SUPPLEMENTAL LAW BOOK EXP.	500.
001.090400.583500	WORKERS' COMP., NON-UNIFORM	21,060.
001.069890.524222	E.D. TASK FORCE, EQUIPMENT	600.
001.042100.524340	D.A.P.C. FILE CABINET	260.

Adopted

June 4, 1996

TOWN OF RIVERHEAD

Resolution # 452

AMBULANCE EQUIPMENT FUND

BUDGET ADJUSTMENT

COUNCILMAN KWASNA

_____ offered the following resolution ,

which was seconded by **COUNCILMAN WITTMER** _____

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

03.000000.390599	APPROPRIATED FUND BALANCE	FROM:	\$7,500.
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03.045400.549000	AMBULANCE, MISCELLANEOUS EXPENSE	TO:	\$7,500.
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THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

June 4, 1996

TOWN OF RIVERHEAD

Resolution # 453

D.A.R.E. PROGRAM

BUDGET ADJUSTMENT

COUNCILMAN KWASNA

offered the following resolution ,

which was seconded by

COUNCILMAN WITTMEIER

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

008.031250.524000	EQUIPMENT	FROM:	\$375.
008.031250.540000	CONTRACTUAL EXPENSE	TO:	\$375.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

June 4, 1996

TOWN OF RIVERHEAD

Resolution # 454

HIGHWAY DEPARTMENT

BUDGET ADJUSTMENT

COUNCILMAN KWASNA

_____ offered the following resolution ,

which was seconded by **COUNCILMAN WITTMEIER**

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

1.051400.547504	REFUSE & GARBAGE EXPENSE	FROM: \$4,200.
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111.051400.515500	TEMPORARY SEASONAL EMPLOYEE	TO: \$4,200.
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THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

June 4, 1996

TOWN OF RIVERHEAD

Resolution # 455

WATER DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN KWASNA

offered the following resolution ,

which was seconded by

COUNCILMAN WITTMEIER

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

112.000000.390599

APPROPRIATED FUND BALANCE

FROM:

\$7,500.

112.083200.523014

UTILITY INSTALLATION

TO:

\$7,500.

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.

June 4, 1996

Adopted

TOWN OF RIVERHEAD

Resolution # 456

SEWER DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN KWASNA

offered the following resolution ,

which was seconded by

COUNCILMAN WITTMER

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

114.081300.542503
114.081300.523011

CHLORINE & CHEMICALS
PLANT IMPROVEMENTS

FROM:

\$1,900.
3,000.

114.081300.541500
114.081300.543504

TRUCK & CAR REPAIR
ENGINEERING EXPENSE

TO:

\$1,900.
\$3,000.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

June 4, 1996

TOWN OF RIVERHEAD

Resolution # 457

STREET LIGHTING DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN KWASNA

_____ offered the following resolution ,

which was seconded by **COUNCILMAN WITTMEIER**

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

116.000000.390599	APPROPRIATED FUND BALANCE	FROM:	\$4,500.
		TO:	
116.051820.543500	CONSULTANTS		\$4,500.

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

June 4, 1996

TOWN OF RIVERHEAD

Resolution # 458

MEETINGHOUSE CREEK BULKHEADING

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KWASNA

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

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

072300.481900.40020	SPECIAL TRUST TRANSFERS	FROM: \$6,000.
406.072300.523018.40020	BULKHEADING EXPENSE	TO: \$6,000.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

June 4, 1996

TOWN OF RIVERHEAD

Resolution # 459

JOINT SCAVENGER WASTE DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN KWASNA

offered the following resolution ,

which was seconded by **COUNCILMAN WITTMEIER**

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

081890.546203

PLANT ELECTRICITY

FROM:

\$3,000.

918.081890.546304

PLANT FUELS

TO:

\$3,000.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Luli	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

June 4, 1996

TOWN OF RIVERHEAD

Resolution # 460

TANGER SEWER EXTENSION

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN KWASNA

_____ offered the following resolution ,

which was seconded by COUNCILMAN WITMEIER

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

01.092705.421050.20006	DEVELOPER FEES	FROM: \$17,000.
406.081300.543504.20006	ENGINEERING EXPENSE	TO: \$17,000.

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

June 4, 1996

TOWN OF RIVERHEAD

Resolution # 461

ROANOKE LANDING IMPROVEMENT

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KWASNA offered the following resolution ,

which was seconded by COUNCILMAN WITTMEIER

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

095031.481900.40023	SPECIAL TRUST TRANSFERS	FROM: \$2,000.
106.071800.523000.40023	LANDING IMPROVEMENTS	TO: \$2,000.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

JUNE 4, 1996

TOWN OF RIVERHEAD

Resolution # 462

APPOINTS DETENTION ATTENDANT

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

WHEREAS, there is a need for a Detention Attendant in the Police Department;
and

WHEREAS, a recommendation has been forwarded to the Town Board
Personnel Committee.

NOW, THEREFORE, BE IT RESOLVED, effective immediately, the Town Board
hereby authorizes the appointment of George A. Ybarra to the position of Detention
Attendant to the Police Department at an hourly rate of pay of \$11.20; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized
to forward a copy of this resolution to George A. Ybarra, Police Chief Joseph Grattan
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.

JUNE 4, 1996

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 463

AUTHORIZATION TO PUBLISH BID

COUNCILMAN KWASNA OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILMAN WITTMER

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN
CLERK TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE OF STREET
LIGHTS ON PULASKI STREET FOR USE BY THE TOWN OF RIVERHEAD.

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

THE VOTE

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

The Resolution was thereupon
duly adopted.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS (REBID)**

Sealed bids for the purchase of STREET LIGHTS ON PULASKI STREET for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:05 a.m. on June 14, 1996.

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

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

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

All bids are to be submitted in a sealed envelope bearing the designation BIDS FOR POLISH TOWN STREET LIGHTS.

Wittmeler	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

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

Barbara Grattan, Town Clerk

The Resolution was thereupon
duly adopted.

Adopted

JUNE 4, 1996

TOWN OF RIVERHEAD

RESOLUTION# 464

AUTHORIZATION TO PUBLISH BID

COUNCILMAN WITTMEIER OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILMAN KWASNA :

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE OF MATERIALS NEEDED FOR BENJAMIN/CORWIN HOUSES FOR USE BY THE TOWN OF RIVERHEAD.

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

THE VOTE

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

The Resolution was thereupon duly adopted.

THE VOTE

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS (REBID)**

Sealed bids for the purchase of MATERIAL NEEDED FOR BENJAMIN/CORWIN HOUSES for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on June 14, 1996 .

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

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

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

All bids are to be submitted in a sealed envelope bearing the designation BIDS FOR BENJAMIN/CORWIN MATERIAL.

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

Barbara Grattan, Town Clerk

Adopted

6/4/96

TOWN OF RIVERHEAD

Resolution # 465

AUTHORIZES SUPERVISOR TO EXECUTE LETTER AGREEMENT BETWEEN RIVERHEAD WATER DISTRICT AND TOSCO CORPORATION

COUNCILMAN PRUSINOWSKI offered the following resolution, was seconded by

COUNCILMAN LULL :

WHEREAS, the Riverhead Water District is constructing a Riverhead Water Tank on Tosco's Riverhead Terminal property and has to lay pipe for the water main related to same.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby authorizes the Town Supervisor to execute the Letter Agreement between Tosco Corporation and the Riverhead Water District for the purpose of laying pipe for the water main in connection with the construction of a Riverhead Water Tank on Tosco's Riverhead Terminal Property; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Tosco Corporation, 72 Cummings Point Road, Stamford, Connecticut, 06902; the Riverhead Water District and the Town Attorney.

THE VOTE

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

The Resolution was thereupon duly adopted.

COUNCILMAN PRUSINOWSKI

offered the following Resolution which was seconded by

Adopted

RESOLVED, that the ~~Commissioner~~ **COUNCILMAN LULL** and is hereby authorized to pay the following:

*****ACCOUNTS*****	*CD - NONE*	**CHECKRUN TOTALS*	***GRAND TOTALS***
GENERAL TOWN 001	\$0.00	\$594,684.60	\$594,684.60
PARKING METER 002	\$0.00	\$0.00	\$0.00
AMBULANCE FUND 003	\$0.00	\$10,000.00	\$10,000.00
POLICE ATHLETIC LEAGUE 004	\$0.00	\$573.75	\$573.75
TEEN CENTER 005	\$0.00	\$557.40	\$557.40
RECREATION PROGRAM 006	\$0.00	\$2,315.00	\$2,315.00
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	\$11.22	\$11.22
HIGHWAY 111	\$0.00	\$42,723.26	\$42,723.26
WATER 112	\$0.00	\$27,763.36	\$27,763.36
REPAIR & MAINTENANCE 113	\$0.00	\$0.00	\$0.00
SEWER 114	\$0.00	\$18,411.76	\$18,411.76
REFUSE & GARBAGE COLLECTION 115	\$0.00	\$103,540.06	\$103,540.06
STREET LIGHTING 116	\$0.00	\$1,422.78	\$1,422.78
PUBLIC PARKING 117	\$0.00	\$751.02	\$751.02
BUSINESS IMPROVEMENT DISTRICT 118	\$0.00	\$3,863.44	\$3,863.44
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	\$0.00	\$0.00
DISCRETIONARY/SMALL CITIES 180	\$0.00	\$0.00	\$0.00
CDBG CONSORTIUM ACCOUNT 181	\$0.00	\$0.00	\$0.00
URBAN DEVEL CORP WORKING 182	\$0.00	\$0.00	\$0.00
RESTORE 184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT 381	\$0.00	\$0.00	\$0.00
SEWER DISTRICT DEBT 382	\$0.00	\$0.00	\$0.00
WATER DEBT 383	\$0.00	\$0.00	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE DISTRICT DEBT 385	\$0.00	\$0.00	\$0.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00	\$6,409.01	\$6,409.01
TOWN HALL CAPITAL PROJECTS 406	\$0.00	\$59,000.00	\$59,000.00
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	\$0.00	\$0.00
SENIORS HELPING SENIORS 453	\$0.00	\$0.00	\$0.00
EISEP 454	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00	\$0.00	\$0.00
MUNICIPAL GARAGE 626	\$0.00	\$2,412.36	\$2,412.36
TRUST & AGENCY 735	\$0.00	\$2,505,000.00	\$2,505,000.00
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	\$7,020.46	\$7,020.46
PATROLL CLEARING ACCOUNT 998	\$0.00	\$0.00	\$0.00
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$70,986.39	\$70,986.39
*****TOTALS*****	\$0.00	\$3,457,445.87	\$3,457,445.87

Adopted

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

COUNCILMAN PRUSINOWSKI

Offered the following Resolution which was seconded by

COUNCILMAN LULL

RESOLVED, that the Board of Public Works hereby authorized to pay the following:

ACCOUNTS	*CD - NONE*	**CHECKRUN TOTALS*	***GRAND TOTALS***
GENERAL TOWN 001	\$0.00	\$718,012.54	\$718,012.54
PARKING METER 002	\$0.00	\$0.00	\$0.00
AMBULANCE FUND 003	\$0.00	\$5,988.66	\$5,988.66
POLICE ATHLETIC LEAGUE 004	\$0.00	\$308.00	\$308.00
TEEN CENTER 005	\$0.00	\$0.00	\$0.00
RECREATION PROGRAM 006	\$0.00	\$408.00	\$408.00
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
HIGHWAY 111	\$0.00	\$56,201.56	\$56,201.56
WATER 112	\$0.00	\$34,613.57	\$34,613.57
REPAIR & MAINTENANCE 113	\$0.00	\$0.00	\$0.00
SEWER 114	\$0.00	\$49,296.12	\$49,296.12
REFUSE & GARBAGE COLLECTION 115	\$0.00	\$10,772.63	\$10,772.63
STREET LIGHTING 116	\$0.00	\$3,710.76	\$3,710.76
PUBLIC PARKING 117	\$0.00	\$2,452.28	\$2,452.28
BUSINESS IMPROVEMENT DISTRICT 118	\$0.00	\$10,000.00	\$10,000.00
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	\$2,335.00	\$2,335.00
MAIN STREET REHAB PROGRAM 177	\$0.00	\$0.00	\$0.00
REVOLVING LOAN PROGRAM 178	\$0.00	\$2,588.53	\$2,588.53
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	\$621.45	\$621.45
URBAN DEVEL CORP WORKING 182	\$0.00	\$0.00	\$0.00
RESTORE 184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT 381	\$0.00	\$0.00	\$0.00
SEWER DISTRICT DEBT 382	\$0.00	\$0.00	\$0.00
WATER DEBT 383	\$0.00	\$0.00	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE DISTRICT DEBT 385	\$0.00	\$0.00	\$0.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00	\$6,300.00	\$6,300.00
TOWN HALL CAPITAL PROJECTS 406	\$0.00	\$353,575.61	\$353,575.61
EIGHT HUNDRED SERIES 408	\$0.00	\$82,391.20	\$82,391.20
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	\$1,445.50	\$1,445.50
SENIORS HELPING SENIORS 453	\$0.00	\$2,474.65	\$2,474.65
EISEP 454	\$0.00	\$726.17	\$726.17
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00	\$18.82	\$18.82
MUNICIPAL GARAGE 626	\$0.00	\$6,819.92	\$6,819.92
TRUST & AGENCY 735	\$0.00	\$800,802.53	\$800,802.53
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	\$16,964.56	\$16,964.56
PATROLL CLEARING ACCOUNT 998	\$0.00	\$0.00	\$0.00
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$0.00	\$0.00
TOTALS	\$0.00	\$2,168,828.06	\$2,168,828.06

Adopted

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

6/4/96

TOWN OF RIVERHEAD

Resolution # 467

STATES POSITION REGARDING THE ESTABLISHMENT OF A PRESERVATION PARTNERSHIP

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN PRUSINOWSKI

WHEREAS, in his 1996 State of the County address, Robert J. Gaffney, County Executive, proposed the establishment of a preservation partnership between the County of Suffolk and local townships to foster the goals of acquiring open space and preserving farmland; and

WHEREAS, Mr. Gaffney has forwarded correspondence inquiring as to the Town of Riverhead's interest in committing funds to such preservation partnership; and

WHEREAS, there currently exists within the Town of Riverhead more than 3,700 acres of land that have been committed to the Suffolk County Farmland Preservation Plan, the most committed by any township within Suffolk County; and

WHEREAS, the goals of farmland preservation and the acquisition of open space are a high priority for residents of the East End and the Town of Riverhead; and

WHEREAS, the Town Board desire to pursue these goals must be measured so as to not place an undue burden upon the taxpaying residents of the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby affirms that it is committed to the goals of acquiring open space and preserving our farmland; and be it further

RESOLVED, that the Town Board wishes to state its interest in the creation of a preservation partnership with the County of Suffolk; however such support is conditioned upon the Town of Riverhead not being required to provide any funding for same; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Hon. Robert J. Gaffney, County Executive, 888 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, New York, 11788-0099.

Adopted

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

May 31, 1996

TOWN OF RIVERHEAD

Resolution # 468

AMENDS SITE PLAN OF EAST END COMMONS

COUNCILMAN KWASNA

offered the following

Resolution, which was seconded by

COUNCILMAN WITTMER

WHEREAS, by Resolutions # 194 and 414, dated March 16, 1993, and June 20, 1995, respectively, the Riverhead Town Board did approve and amend the site plan of Peter S. Danowski Jr., Esq, as agent for East End Common Associates (Wilbur F. Breslin, et.al) for the construction of a 224,831 square foot building for use as a shopping center, with related parking and attendant site improvements, located at the north side of Old Country Road (C.R. 58), the north side of Northville Turnpike (C.R. 43), and the east side of Oliver Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-09-1-4.1 and 19.5, and

WHEREAS, Peter S. Danowski Jr., Esq, as agent for East End Common Associates (Wilbur F. Breslin, et.al) has requested that a modification of said site plan approval in regard to a change in the building elevations for the K-Mart building, as per elevation drawings dated last June 3, 1996, as prepared by Angelo F. Corva & Assocs., Architects, 1691 Northern Boulevard, Manhasset NY 11030, 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 96-15610 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 Peter S. Danowski Jr., Esq, as agent for East End Common Associates (Wilbur F. Breslin, et.al) to provide the following:

a change in the building elevations for the K-Mart building, as per elevation drawings dated last June 3, 1996, as prepared by Angelo F. Corva & Assocs., Architects, 1691 Northern Boulevard, Manhasset NY 11030, and a change in the building elevations for the BJ's facades to eliminate the 4" reveals; and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski Jr., Esq, as agent for East End Common Associates (Wilbur F. Breslin, et.al), the Riverhead Planning Department, Building Department, Assessors' Office, and Office of the Town Attorney.

Adopted

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

6/4/96

TOWN OF RIVERHEAD

Resolution # 469

APPROVES SITE PLAN OF RIVERHEAD BUILDING SUPPLY CORP.

COUNCILMAN WITTMEIER

_____ offered the following resolution, which was seconded by

COUNCILMAN KWASNA :

WHEREAS, a site plan and elevations were submitted by Allen M. Smith, as agent for the Riverhead Building Supply Corp. for the construction of a 172,000 square foot lumberyard, including warehouse and retail space, and related site improvements, located at the south side of Pulaski Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-1245-2-3.3 & 3.4; and

WHEREAS, the Planning Department has reviewed the site plan dated May 22, 1996, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated in house April 10, 1996, as prepared by (architect unknown), 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 I 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 96-13501 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 Allen M. Smith, as agent for the Riverhead Building Supply Corp., for the construction of a 172,000 square foot lumberyard, including warehouse and retail space, and related site improvements, located at the south side of Pulaski Street, Riverhead, New York, site plan dated May 22, 1996, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated in house April 10, 1996, as prepared by (architect unknown), be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan 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. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

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

8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Agway, Inc., c/o Agway Petroleum Corporation hereby authorizes and consents to the Town of Riverhead to enter premises at the south side of Pulaski Street, Riverhead, New York, to enforce said handicapped parking regulations;

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

10. That all utilities shall be constructed underground;

11. 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;

14. That this approval shall be subject to the recommendation of the Town of Riverhead Architectural Review Board;

15. That this approval shall be subject to provision of a detail drawing for the proposed retaining wall, which shall be approved by the Town Engineer prior to the issuance of a building permit;

16. That, in addition to that curbing shown, curbing shall be provided where indicated on the site plan approved herein and initialled by a majority of the Town Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, as agent for the Riverhead Building Supply Corp., 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 Agway, Inc., c/o Agway Petroleum Corporation, residing at P.O. Box 4933, Syracuse NY 13221, 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. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
6. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;

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

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

9. That all utilities shall be constructed underground;

10. 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;

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

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

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

AGWAY, INC.

By: _____

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1995, 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

Adopted

6/4/96

TOWN OF RIVERHEAD

Resolution # 470

APPROVES SITE PLAN OF TANGER II FACTORY OUTLET CENTER

COUNCILMAN PRUSINOWSKI

_____ offered the following resolution, which was seconded by

COUNCILMAN LULL _____:

WHEREAS, a site plan and elevations were submitted by Kevin Dillon, as agent for Tanger Properties Limited Partnership for the construction of a 449,961 square foot manufacturer's outlet center, in phases, and attendant site improvements, located at the south side of Old Country Road (C.R. 58), 291 feet west of Kroemer Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-119-1-37 & 38 ("The Premises"); and

WHEREAS, the Planning Department has reviewed the site plan dated May 28, 1996, as prepared by Kalogeras & Grosser, Consulting Engineers, RD #1, Box 530, Riverhead NY 11901 and the site plan dated May 29, 1996, as prepared by Joseph A. Ingegno, Land Surveyor, Aquebogue, New York, 11931, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the project has undergone an environmental review pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617, which review resulted in the preparation and acceptance of a Draft Environmental Impact Statement, a Final Environmental Impact Statement, and Agency Findings by the Town Board of the Town of Riverhead, which documents are on file in the Office of the Town Clerk; 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 96-15217 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 submitted by Kevin Dillon, as agent for Tanger Properties Limited Partnership, for the construction of a 449,961 square foot manufacturer's outlet center, and attendant site improvements, in phases, located at the south side of Old Country Road (C.R. 58), 291 feet west of Kroemer Avenue, Riverhead, New York, site plan dated May 28, 1996, and the site plan dated May 29, 1996, as prepared by Joseph A. Ingegno, Land Surveyor, Aquebogue, New York, 11931, as prepared by Kalogeras & Grosser, Consulting Engineers, RD #1, Box 530, Riverhead NY 11901, 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 shining upon 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 trash 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** Section 108-60;

8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code** Section 108-60;

9. That 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 sanction stating, "**Handicap Only**", and the universal symbol affixed thereto. Further, by execution and filing of this document, Tanger Properties Limited Partnership hereby authorizes and consents to the Town of Riverhead to enter the Premises at 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 in the amount of \$100,000. 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 recommendation of the Town of Riverhead Architectural Review Board and Planning Department of elevation drawings for all faces of each building, exterior colors and materials, and landscaping;

16. That all construction and site improvements shall be done in conformance with those standards and conditions contained in the New York State Department of Environmental Conservation (NYSDEC) permit number 1-4730-00281/00002-0 (Article 15, Title 27; Article 24) and its attending site plan and grading plan, particularly:

- i) prior to commencement of retail operation of any part of the outlet expansion, the planned sewer main extension, lift station, or other appropriate means of wastewater management (i.e. pumping to tanker trucks) shall be installed and operable. There shall be no on site discharge of wastewater. No portion of the wastewater management system shall encroach on the preserve area.
- ii) before any clearing, grading, or construction activities begin, the salamander barrier/fence shall be installed at the preserve boundary as shown on the approved site plan. At the locations where excavation and filling are allowed within the preserve boundary, the salamander barrier/fence may be installed after filling, grading and planting is completed. The fence must not prevent the movement of salamanders at the southern property boundary. Whenever practicable, the existing perimeter fence must remain in place until the permanent salamander barrier/fence can be installed to prevent salamanders from entering areas of excavation;
- iii) the permittee will design and install a permanent, impermeable salamander barrier as described in the agreement. This barrier will consist of concrete, plastic, composite or similar material, which will prevent salamanders from burrowing through or climbing over. The barrier may serve as the foundation of the fence described in the agreement. If the salamander barrier is not used as foundation of the fence, the fence must be installed landward of the salamander barrier. The salamander barrier shall be installed to a minimum depth of 18 inches below grade and a minimum of 12 inches above grade;
- iv) all areas of cut and fill located within the preserve area shall be covered with a minimum of six inches of topsoil in order to facilitate successful revegetation. These cut and fill areas shall be replanted with trees as described in the agreement. The trees shall be an equally proportioned mixture of nursery stock Pin Oak, White Oak, and Scarlet Oak (*Quercus*

palustris, Q. alba, and Q. coccinea respectively) a minimum of two inches in diameter at breast height (dbh), bagged and balled, and planted 15 feet on center in a grid fashion on the areas of sloped fill during the early spring of 1997. If practicable, understory vegetation should be carefully removed from upland portions of the site to be disturbed, stockpiled, then replanted on the preserve area fill slopes between the oak trees. All remaining exposed soil shall be hydroseeded with a 50/50 mix of switch grass and annual ryegrass at a rate of 60 pounds per acre and mulched with straw.

- v) a snow fence or other temporary, project limiting fence shall be erected at the boundary of the preserve area as shown on the approved plan before any clearing, grading, excavation or construction activities begin in order to prevent the inadvertent intrusion of equipment in to the protected area. This fence shall be maintained until the project is completed or the permanent fence is installed, whichever occurs first;
- vi) before any clearing, grading or filling activities begin within the boundary of the preserve area, a snow fence with a continuous row of straw bales staked end to end shall be installed at the downslope edge of the fill area. The bales shall be staked on the upslope or project side of the fence and shall be maintained, repaired, and replaced as often as necessary to ensure proper function until the disturbed area is permanently vegetated. The average useful life of a bale is approximately 3-4 months. Sediments trapped by the bales shall be removed to an upland location before the bales themselves are removed;
- vii) all roof and parking lot runoff shall be contained in the subsurface drainage system. There shall be no discharge of stormwater runoff to surface waters;
- viii) the area designated as the nature preserve on the approved plan shall be conveyed to a private land conservation organization for preservation in perpetuity as habitat for the tiger salamander as described in the agreement;
- ix) all facility lighting structures shall be installed to direct light away from the preserve area and toward the developed portions of the site;
- x) storage of construction materials, supplies, and all construction equipment and machinery shall be confined to area of the site outside the preserve boundary;
- xi) Tanager will construct, and thereafter maintain, a fence, at least six feet high, and if separate from the barrier specified in Paragraph 5 above, roughly parallel to and within two feet of said barrier. Such fence shall be for the purpose of preventing persons from entering onto the Nature Preserve from the Center, and also for the purpose of preventing trash or other materials from being blown or otherwise conveyed from the Center to the Nature Preserve. Such fence shall be constructed of chain link or other material suitable for these stated purposes as approved by the Riverhead Town Board.

xii) that all site grading in the preserve area shall be accomplished in a way as to minimize impacts upon burrowing salamanders such as through the use of light-weight equipment. The use of lightweight equipment shall be employed;

17. That no building permit shall issue until that cross-easement agreement, a copy of which has been delivered to the Town of Riverhead, has been recorded in the Office of the Suffolk County Clerk and that such proof of such recording has been delivered to the Town.

18. All clearing and grading of at the Premises shall be conducted in such a manner as to restrict the flow of stormwater and sediments into the preserved area.

19. That pursuant to the final design of the commercial sewer extension to the Riverhead Sewer District Tanger shall provide an irrevocable offer of dedication to the Town of Riverhead for that real property necessary to construct Phase I of the extension at a mutually size and location and with mutually agreeable terms and conditions. Phase I includes the construction of a pump station and wet well to provide for collection and treatment of wastewater in conformance with special condition number two (2) of NYSDEC Permit Number 1-4730-00281/00002-2;

20. That prior to the installation of any and all drainage appurtenances, the developer submit to the Town Engineer a structural analysis prepared by a licensed professional engineer demonstrating to the reasonable satisfaction of the Town Board that the proposed drainage ring installation can withstand, without appreciable settling, the weight of loads typical of delivery truck traffic; and be it further

RESOLVED, that the site of the proposed food court shall be amended from that proportion identified in the special permit issued for the subject premises from one (1) seat per 1900 square feet of building area to one (1) seat per 1630 square feet of building area; and be it further

RESOLVED, that the total floor area of the accessory use be amended from that percentage in the special permit issued for the subject premises to that percentage provided for and contained within the definition for Manufacturer's Outlet Center as defined in Section 108-3 of the Code of the Town of Riverhead; and be it further

RESOLVED, that prior to the issuance of a certificate of occupancy, Tanger Properties L.P. shall convert the site plan performance bond to a maintenance bond or other security of a two (2) year duration, in an amount acceptable to the Town Board upon the recommendation of the Town Engineer, which maintenance shall not to exceed the performance made part of this resolution in order to insure the proper condition of asphalt roadways and parking areas; and be it further

RESOLVED, that this site plan approval constitutes the approval of the Town Board necessary to secure that land clearing permit required for the clearing, and grading, cutting or filling of real property necessary pursuant to Section 52-8.2 of the Riverhead Town Code; and be it further

RESOLVED, that the site plan approval contained herein shall become effective upon that proposed agreement among Tanger Properties Limited Partnership p, the Town of Riverhead and the Town of Riverhead Community Development Agency regarding the payment of funds for the mitigation of economic impacts found to be resulting from the subject development being executed by Tanger Properties Limited Partnership; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kevin Dillon, as agent for Tanger Properties Limited Partnership, Kalogeras & Grosser, Joseph Ingegno, Land Surveyor, Adams Hennon Architecture, Shepard M. Scheinberg, Esq., the Riverhead Planning Department, Building Department and the Town Engineer.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Luli	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 Tanger Properties Limited Partnership, 1400 West Northwood Street, Greensboro NC 27429 6, 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 shining upon 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 trash 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** Section 108-60;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code Section 108-60;

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, "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.

TANGER PROPERTIES LIMITED PARTNERSHIP

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 TANGER PROPERTIES LIMITED PARTNERSHIP; 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