

Adopted

09/5/95

TOWN OF RIVERHEAD

Resolution # 570

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CHANGE TIME OF REGULAR TOWN BOARD MEETING

COUNCILMAN PRUSINOWSKI

offered the following resolution,

which was seconded by

COUNCILMAN STARK

RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Public Notice once in the September 13, 1995, issue of the Suffolk County Life, the official newspaper of the Town of Riverhead designated for that purpose.

The Vote

Gillam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that the time of the next regularly scheduled meeting of the Town Board of the Town of Riverhead will be held on **September 19, 1995**, shall be **2:00** o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York.

Dated: Riverhead, New York
June 20, 1995.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution # 571

PROMOTES JOSEPH LOGGIA TO THE POSITION OF DETECTIVE FIRST GRADE WITH THE RIVERHEAD POLICE DEPARTMENT

COUNCILWOMAN GILLIAM

_____ offered the following resolution,

which was seconded by **COUNCILMAN CREIGHTON** _____:

WHEREAS, Joseph Loggia is a certified Police Officer with the Riverhead Police Department and has been so employed since November 16, 1981; and

WHEREAS, Joseph Loggia has been assigned to investigative duties since 1990 and presently holds the designation of Detective - Second Grade; and

WHEREAS, it is the recommendation of the Chief of Police of the Riverhead Police Department that he be promoted to the rank of Detective - First Grade.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby appoints Joseph Loggia to the position of Detective - First Grade with the Riverhead Police Department effective September 5, 1995, at the annual salary as provided for in the current P.B.A. Contract; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Joseph Loggia, Chief Grattan and the Accounting Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

**The Resolution is therefore
declared duly adopted**

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution # 572

GRANTS LEAVE OF ABSENCE

NEILMAN CREIGHTON

offered the following resolution, which was seconded by

COUNCILWOMAN GILLIAM

WHEREAS, pursuant to Article XII of the Collective Bargaining Agreement, an employee may be granted a leave of absence without pay for up to six (6) months upon written application and good cause shown; and

WHEREAS, William L. Nungesser has made a written request for a three (3) week leave of absence, commencing September 25, 1995 through October 14, 1995.

NOW, THEREFORE BE IT RESOLVED, that William L. Nungesser be granted such unpaid leave of absence for three (3) weeks from September 25, 1995 through October 14, 1995, per his request; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to William L. Nungesser, 212 Northville Turnpike, Riverhead, New York 11901; to Michael Reichel and the Accounting Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusnowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore
declared duly adopted

Adopted

9/5/95

RESOLUTION 573

PROCLAIMING SEPTEMBER 15-17, 1995 AS INTERNATIONAL COASTAL CLEANUP DAYS IN THE TOWN OF RIVERHEAD AND COMMENDING THE VOLUNTEERS AND ENVIRONMENTAL ORGANIZATIONS ENGAGED IN THIS EFFORT.

COUNCILWOMAN GILLIAM

-----introduced the Resolution which was seconded

by

COUNCILMAN CREIGHTON

WHEREAS, the International Coastal Cleanup will be observed the weekend of September 15-17, 1995 in New York State; and

WHEREAS, the quality of public beaches and shorelines is being threatened by illegal dumping, hazardous oil spills and littering; and

WHEREAS, the cleanup efforts provide an important method of documenting the types of debris commonly dumped, which is a vital first step towards developing appropriate measures to prevent continued abuses against our shorelines; and

WHEREAS, thousands of volunteers throughout the State will donate their time and energy to clean and record what litters our shores; and

WHEREAS, hundreds of beach captains will coordinate efforts at various beaches, including the shores of the ocean, rivers, lakes, ponds and streams throughout New York; and

WHEREAS, on a local level, efforts are being coordinated by SAVE THE BAYS and the NORTH FORK ENVIRONMENTAL COUNCIL to involve local schools and volunteers in cleanup activities at the Jamesport Beach, Wading River Beach, and Reeves Beach; and

WHEREAS, these efforts by local organizations and volunteers will increase public participation in addressing the problems of pollution, including the need to recycle; and increase public appreciation of the coastal environment; therefore be it

RESOLVED, that the TOWN OF RIVERHEAD, NEW YORK, hereby proclaims September 15-17, 1995 as International Coastal Cleanup Days and calls upon all the residents of Riverhead to join in this worthy event; and

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this Resolution to the North Fork Environmental Council and Save the Bays, Inc.

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution # 574

APPROVES TEMPORARY SIGN APPLICATION FOR TOYS "R" US

CILMAN PRUSINOWSKI offered the following resolution, which was seconded by
COUNCILMAN STARK

WHEREAS, a temporary sign permit application and rendering were submitted by Toys "R" Us for property located at 1151 Old Country Road (C.R. 58), Riverhead, known and designated as Suffolk County Tax Map Number 0600-108-4-5.2; and

WHEREAS, pursuant to section 108-56(C)(5) of the Code of The Town of Riverhead, the application does not require the recommendation of the Architectural Review Board; and

WHEREAS, the rendering was approved by three Town Board members, with the condition that the sign may be erected for not more than ninety (90) days.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby approves the temporary sign application submitted by Toys "R" Us dated July 12, 1995; and be it further

RESOLVED, that said temporary sign shall be erected for a period not to exceed ninety (90) days from the date hereof; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Toys "R" Us, 461 From Road, Paramus, New Jersey 07652 and the Building Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore
declared duly adopted

The Vote
Yes ✓
Yes ✓
Yes ✓
Yes ✓
Resolution is hereby
declared duly adopted

Adopted

TOWN OF RIVERHEAD

Resolution # 575

REDUCES S.C.N.B. LETTER OF CREDIT OF 1994 SOUNDVIEW GOLF, INC. (ACCESS ROAD CONSTRUCTION)

COUNCILMAN STARK

offered the following resolution, which was

seconded by **COUNCILMAN PRUSINOWSKI**

WHEREAS, the Riverhead Planning Board has granted final plat approval for the realty subdivision known as **Soundbreeze**, Wading River, New York, by resolutions dated August 8, 1994 and January 19, 1995; and

WHEREAS, the Town Board did accept S.C.N.B. irrevocable Letter of Credit No. 940929 in the amount of \$268,000.00, with an expiration date of September 29, 1995, for the Access Road Construction of the Soundbreeze subdivision;

WHEREAS, Allen M. Smith, Esq., did by letter dated March 8, 1995 request a reduction in the performance bonds for several sections of the realty subdivision Sound Breeze, Wading River, New York; and

WHEREAS, John Raynor, P.E., by letter dated April 13, 1995, did advise the Riverhead Planning Board that improvements have been made and forwarded revised bond estimate in the sum of One Hundred Forty Eight Thousand (\$148,000.00) dollars;

WHEREAS, Suffolk County National Bank irrevocable Letter of Credit No. 950811 in the amount of One Hundred Forty Eight Thousand (\$148,000.00) Dollars has been forwarded to the Office of the Town Attorney, who has reviewed same as to the form to satisfy the bond requirement.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead does hereby accept Suffolk County National Bank Irrevocable Letter of Credit No. 950811 in the sum of One Hundred Forty Eight (\$148,000.00) Dollars, which assures the completion of the access road construction in the Sound Breeze subdivision; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to release Suffolk County National Bank Letter of Credit No. 940929 when Suffolk County National Bank Letter of Credit No. 950811 is filed with the Town Clerk's Office; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, Esq., 737 Roanoke Avenue, P.O. Box 1240, Riverhead, New York, 11901; Thomas S. Kohlmann, Sr. Vice President, Suffolk County National Bank, 6 West Second Street, P.O. Box 9000, Riverhead, New York, 11901; Riverhead Town Building Department; the Town Attorney and the Accounting Department.

The Vote

Coffman	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 576
ADOPTED _____

AUTHORIZATION TO PUBLISH BID

COUNCILMAN CREIGHTON

OFFERED THE FOLLOWING RESOLUTION
COUNCILWOMAN GILLIAM

WHICH WAS SECONDED BY _____:

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR A 1995 FORD CROWN VICTORIA (DEMO) WITH POLICE INTERCEPTOR PACKAGE 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 THE POLICE AND THE ACCOUNTING DEPARTMENTS.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of a 1995 FORD CROWN VICTORIA (DEMO) WITH POLICE INTERCEPTOR PACKAGE 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 Monday, September 18, 1995.

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 POLICE CAR (DEMO).

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

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

Barbara Grattan, Town Clerk

**The Resolution is therefore
declared duly adopted**

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution # 577

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING - SPECIAL PERMIT PETITION OF DAVID J. WILLMOTT

COUNCILWOMAN GILLIAM

offered the following

COUNCILMAN CREIGHTON

resolution, which was seconded by _____

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from David J. Willmott to provide for a market center use on real property located on Route 58, Riverhead, New York, and known specifically as SCTM No. 0600-101-2-15.2, and

WHEREAS, the Town Board has determined that the review of the petition shall not require the preparation of an Environmental Impact Statement, and

WHEREAS, the Town Board has referred the matter to the Riverhead Planning Board for its report and recommendation, and

WHEREAS, the Town Board desires to hold a public hearing on the petition pursuant to the Riverhead Zoning Ordinance, now

THEREFORE, BE IT

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

**TOWN OF RIVERHEAD
PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th of September, 1995 at 2:10 p.m. o'clock, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, new York to hear all interested parties regarding the special permit petition from David J. Willmott to utilize approximately 53,500 square feet of an exiting structure as a small business market center on a 11.9 acre parcel zoned Industrial "A" and known specifically as SCTM No. 0600-101-2-15.2.

DATED: Riverhead, New York
September 5, 1995

By Order of the Town Board of the
Town of Riverhead

Barbara Grattan, Town Clerk

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Abstain

**The Resolution is therefore
declared duly adopted**

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution # 578

APPROVES SITE PLAN OF LARRY'S LIGHTHOUSE MARINA - NEW WAREHOUSE

COUNCILMAN PRUSINOWSKI

_____ offered the following

COUNCILMAN STARK

resolution, which was seconded by _____:

WHEREAS, a site plan and elevations were submitted by Victor Cuneo, as agent for Larry's Lighthouse Marina, Inc., for the construction of a new warehouse building with accessory retail use, located at the west side of Edgar Avenue, 223 feet north of Hubbard Avenue, Aquebogue, New York, known and designated as Suffolk County Tax Map Number 0600-86-1-38.2; and

WHEREAS, the Planning Department has reviewed the site plan dated last April 10, 1995, as prepared by Victor Cuneo, R.A., 154 Laurel Road, East Northport NY 11731, and elevations dated last January 1, 1995, as prepared by Victor Cuneo, R.A., 154 Laurel Road, East Northport NY 11731, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

WHEREAS, a copy of the site plan has been marked and 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 95-1940 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 Victor Cuneo, as agent for Larry's Lighthouse Marina, Inc., for the construction of a new warehouse building with accessory retail use, located at the west side of Edgar Avenue, 223 feet north of Hubbard Avenue, Aquebogue, New York, site plan dated last April 10, 1995, as prepared by Victor Cuneo, R.A., 154 Laurel Road, East Northport NY 11731, and elevations dated last January 1, 1995, as prepared by Victor Cuneo, R.A., 154 Laurel Road, East Northport NY 11731, 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, Macy & Patricia Sowinski hereby authorizes and consents to the Town of Riverhead to enter premises at the west side of Edgar Avenue, 223 feet north of Hubbard Avenue, Aquebogue, 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 the elevation drawings shall be amended to depict returns on the mansard roof on both the north and south side of the building as indicated on the drawings approved herein and initialled by a majority of this Town Board;
16. That the sidewalk on the south side of the building shall be removed and replaced with a row of plantings;
17. That the planting plan and schedule shall be amended to contain those species of the size and in the locations noted on the site plan approved herein and initialled by a majority of this Town Board;
18. That no storage of materials, merchandise, supplies, equipment or vehicles of any type shall occur outside of the building;
19. That the retail use shall remain an accessory use in perpetuity; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Victor Cuneo, Larry's Lighthouse Marina, Inc., the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1995 made by Macy & Patricia Sowinski, residing at Box 342, Meetinghouse Creek Road, Riverhead NY 11901, Declarant.

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

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

14. That no storage of materials, merchandise, supplies, equipment, or vehicles of any type shall occur outside of the building;

15. That the retail use shall remain an accessory use in perpetuity;

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

Macy Sowinski

Patricia Sowinski

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

On the _____ day of _____, 1995 before me personally came Macy Sowinski & Patricia Sowinski, to me known and known to be the individuals who executed the foregoing instrument; that they are the owners of certain real property located at the west side of Edgar Avenue, 223 feet north of Hubbard Avenue, Aquebogue, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that they did swear to me that they executed the same.

NOTARY PUBLIC

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

The Vote

Gillam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

**The Resolution is therefore
declared duly adopted**

Adopted

09/05/95

TOWN OF RIVERHEAD

Resolution # 579

APPOINTS FILL-IN LIFEGUARDS
TO THE RECREATION DEPARTMENT

COUNCILMAN STARK

offered the following

COUNCILMAN PRUSINOWSKI

resolution, which was seconded by

RESOLVED, That Johanna Imwalle, Sharon Bilunas and Stephen Burns are hereby appointed to serve as Fill-in lifeguards, effective August 22, 1995, to and including September 4, 1995 to be paid bi-weekly at the rate of \$ 7.00 per hour and to serve at the pleasure of the Town Board.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

**The Resolution is therefore
declared duly adopted**

Adopted

09/05/95

TOWN OF RIVERHEAD

Resolution # 580

APPOINTS RECREATION AIDE TO THE RIVERHEAD

RECREATION DEPARTMENT

COUNCILMAN STARK

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

RESOLVED, That Lisa Burgess is hereby appointed to serve as a Recreation Aide, effective September 8, 1995, to be paid biweekly at the rate of \$7.50 per hour and to serve at the pleasure of the Town Board.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

09/05/95

TOWN OF RIVERHEAD

Resolution # 581APPOINTS RECREATION AIDE TO THE RIVERHEADRECREATION DEPARTMENT

COUNCILMAN STARK

offered the following

resolution, which was seconded by

COUNCILMAN PRUSINOWSKI

RESOLVED, That Heidi Kappenberg is hereby appointed to serve as a Recreation Aide, effective September 8, 1995, to be paid biweekly at the rate of \$7.50 per hour and to serve at the pleasure of the Town Board.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore
declared duly adopted

Adopted

09/05/95

TOWN OF RIVERHEAD

Resolution # 582

APPOINTS RECREATION AIDE TO THE RIVERHEAD

RECREATION DEPARTMENT

COUNCILMAN STARK

_____ offered the following

resolution, which was seconded by _____

COUNCILMAN PRUSINOWSKI

RESOLVED, That Troy Sidik is hereby appointed to serve as a Recreation Aide, effective September 8, 1995, to be paid biweekly at the rate of \$7.50 per hour and to serve at the pleasure of the Town Board.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

9/05/95

TOWN OF RIVERHEAD

Resolution # 583

APPOINTS RECREATION AIDE TO THE RIVERHEAD
RECREATION DEPARTMENT

COUNCILMAN STARK

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

RESOLVED, That Elizabeth Vaiana-Cavanagh is hereby
appointed to serve as a Recreation Aide, effective
September 8, 1995, to be paid biweekly at the rate of
7.50 per hour and to serve at the pleasure of the Town
Board.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore
declared duly adopted

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution #584

APPROVES APPLICATION OF AQUEBOGUE FARMS, INC.

WILLIAM CREIGHTON offered the following resolution, which was seconded by

COUNCILWOMAN GILLIAM

WHEREAS, Aquebogue Farms has submitted an application for the purpose of conducting hayrides to be held at the south side of Route 25, Aquebogue, (Perry V. Conklin Farm) to be held the balance of Summer to November 1, 1995 between dusk to midnight on Thursdays, Fridays and Saturdays; and

WHEREAS, certificates of insurance have been received naming the Town of Riverhead as Additional Insured; and

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

NOW THEREFORE BE IT RESOLVED, that the application submitted by Aquebogue Farms, Inc. for the purpose of conducting hayrides to be held at the south side of Route 25, Aquebogue, (Perry V. Conklin Farm) to be held from September 29, 1995 to November 1, 1995 between dusk to midnight on Thursdays, Fridays and Saturdays be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Allen M. Smith, Esq.; as Attorney for Aquebogue Farms, Inc., 737 Roanoke Avenue, P.O. Box 1240, Riverhead, New York, 11901; and the Riverhead Police Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution # 585

APPROVES APPLICATION OF TANGER FACTORY OUTLET CENTER

DILWOMAN GILLIAM offered the following resolution, which was seconded by
COUNCILMAN CREIGHTON

WHEREAS, Tanger Factory Outlet Center has submitted an application for the purpose of conducting a tent sale to be held at Tanger Drive in front of Osh Kosh Store in the parking lot on the following dates and times:

September 5, 1995	9:00 a.m. to 9:00 p.m.
September 6, 1995	9:00 a.m. to 9:00 p.m.
September 7, 1995	9:00 a.m. to 9:00 p.m.
September 8, 1995	9:00 a.m. to 9:00 p.m.
September 9, 1995	9:00 a.m. to 9:00 p.m.
September 10, 1995	10:00 a.m. to 7:00 p.m.
September 11, 1995	9:00 a.m. to 9:00 p.m.
September 12, 1995	9:00 a.m. to 9:00 p.m.
September 13, 1995	9:00 a.m. to 9:00 p.m.;

and

WHEREAS, certificates of insurance have been received naming the Town of Riverhead as Additional Insured; and

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

NOW THEREFORE BE IT RESOLVED, that the application submitted by the Tanger Factory Outlet Center for the purpose of conducting a tent sale to be held at Tanger Drive in front of Osh Kosh Store in the parking lot on the above dates and times be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Tanger Factory Outlet Center, Tanger Drive, Suite 200, Riverhead, New York, 11901; and the Riverhead Police Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution # 586

ADOPTS THE AMENDMENT FOF CHAPTER 49 "BICYCLES" OF THE RIVERHEAD TOWN CODE

COUNCILMAN PRUSINOWSKI

offered the following resolution, which was

COUNCILMAN STARK

seconded by _____:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider proposed local law to amend Chapter 49 of the Riverhead Town Code (Bicycles); and

WHEREAS, a public hearing was held on the 15th day of August, 1995, at 7:10 o'clock p.m., at the Jamesport Community Center, South Jamesport Avenue, Jamesport, New York, the date, time and place specified in said public notices, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED, that the amendment to Chapter 49 of the Riverhead Town Code (Bicycles) be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Board; the Riverhead Building Department; Recreation Department; the Riverhead Police 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

Gillam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

**The Resolution is therefore
declared duly adopted**

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted an amendment to Chapter 49 (Bicycles) of the Riverhead Town Code at its regular meeting held on September 5, 1995 as follows:

49.1. Definitions.

DOWNTOWN AREA - Shall encompass the area bounded by the following streets, and shall include the sidewalks appurtenant thereto: ~~Beginning at the corner of Griffing Avenue and West Main Street, east on West Main Street to the corner of Peconic Avenue and West Main Street; thence south on Peconic Avenue to the town line; thence east along the town line to the intersection of McDermott Avenue and the town line; thence north on McDermott Avenue to the intersection of McDermott Avenue and East Main Street; thence east on East Main Street to the intersection of East Main Street and Ostrander Avenue; thence north on Ostrander Avenue to the intersection of Ostrander Avenue and Second Street; thence west on Second Street to the intersection of Griffing Avenue and Second Street; thence south on Griffing Avenue to the point or place of beginning. The "downtown area" shall also include the following designated portion of West Main Street, beginning at the intersection of Griffing Avenue and West Main Street, west on West Main Street to the intersection of Osborne Avenue and West Main Street. Beginning at the corner of Court Street and West Main Street; running thence east on West Main Street to the corner of Peconic Avenue and West Main Street; thence south on Peconic Avenue to the town line; thence east along the town line to the intersection of McDermott Avenue and the town line; thence north on McDermott Avenue to the intersection of McDermott Avenue and East Main Street; thence east on East Main Street to the corner of East Main Street and Howell Avenue, thence west from the corner of Howell Avenue and East Main Street to the corner of East Main Street and Ostrander Avenue; then north on Ostrander Avenue to the intersection of Ostrander Avenue and Second Street; thence west on Second Street to the intersection of Second Street and Roanoke Avenue; thence north on Roanoke Avenue to the intersection of Roanoke Avenue and Railroad Avenue; thence west on Railroad Avenue to the intersection of Railroad Avenue and Osborne Avenue; thence south on Osborne Avenue to the intersection of Osborne Avenue and Court Street; thence west on Court Street to the intersection of Court Street and West Main Street. The downtown area shall also include the portion of Pulaski Street from the intersection of Pulaski Street and Osborne Avenue; thence west on Pulaski Street to the intersection of Pulaski Street and Marcy Avenue.~~

Dated: Riverhead, New York
September 5, 1995

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

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

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution # 587

AMENDS RESOLUTION # 557

COUNCILMAN STARK

offered the following resolution, which was

seconded by **COUNCILMAN PRUSINOWSKI**

WHEREAS, resolution #557 authorized the following Sewer Plant employees to attend a Sewer Operators course to be held at the Suffolk Community College in Selden, New York from October 9, 1995 through December 18, 1995:

- Glenn Magee
- John Niewadonski
- William Nungusser
- Howard Gasset

WHEREAS, an additional employee, Michael Lech, Sewer Plant Operator, wishes to attend said course; and

WHEREAS, resolution #557 authorized the payment of \$275.00 per employee for said course; and

WHEREAS, there is a \$31.00 additional cost per employee for materials required for said course.

NOW THEREFORE BE IT RESOLVED, that the above referenced Sewer Plant employees, with the addition of Michael Lech, be and is hereby authorized to attend a Sewer Operators course to be held at the Suffolk Community College in Selden, New York from October 9, 1995 through December 18, 1995; and be it further

RESOLVED, that the cost for same shall not exceed \$275.00 per employee for the cost of said course; and be it further

RESOLVED, that the Town Board be and hereby authorizes the additional charge of \$31.00 per employee cover the cost of materials for said course; and

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the above named individuals; Michael Reichel, Sewer District Superintendent and the Accounting Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution # 588

ADOPTS AN AMENDMENT TO CHAPTER 101 VEHICLES AND TRAFFIC SECTION 101 "VEHICLES AND TRAFFIC" ARTICLE III "TRAFFIC REGULATIONS: AT SECTION 101-3 "STOP AND YIELD INTERSECTIONS; RAILROAD CROSSINGS; PARKING FIELDS. OF THE RIVERHEAD TOWN CODE

COUNCILMAN CREIGHTON

offered the following resolution, which was

seconded by

COUNCILWOMAN GILLIAM

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an Amendment to Chapter 101 Vehicles and Traffic at Section 101-3 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 15th day of August, 1995, at 7:05 o'clock p.m., at the Jamesport Community Center, South Jamesport Avenue, Jamesport, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW, THEREFORE, BE IT

RESOLVED, that an Amendment to Chapter 101 Vehicles and Traffic at Section 101-3 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 Highway Department and the Riverhead Police Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared 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 September 5, 1995:

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

A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	Stop Sign On	Entrance From
<u>High Meadow Lane</u>	<u>Melissa Court</u>	<u>North</u>
<u>Northgate circle</u>	<u>Jills Way</u>	<u>West</u>
<u>Southfield Road</u>	<u>Eastmeadow Road</u>	<u>East</u>
<u>Southfield Road</u>	<u>Pleasant Court</u>	<u>East</u>
<u>Southfield Road</u>	<u>Northgate Circle</u>	<u>North</u>
<u>Timothy Lane</u>	<u>Highmeadow Lane</u>	<u>West</u>
<u>Timothy Lane</u>	<u>Rita's Court</u>	<u>North</u>
<u>Williams Way North</u>	<u>Village Green North</u>	<u>West</u>
<u>Williams Way North</u>	<u>Marge Lane</u>	<u>North</u>
<u>Williams Way North</u>	<u>Carol Court</u>	<u>West</u>
<u>Williams Way North</u>	<u>Williams Way South</u>	<u>East</u>
<u>Williams Way South</u>	<u>Williams Way North</u>	<u>North</u>
<u>Williams Way South</u>	<u>Kimberly Court</u>	<u>West</u>
<u>Williams Way South</u>	<u>Donna Drive</u>	<u>East</u>
<u>Williams Way South</u>	<u>Gordon Boulevard</u>	<u>South</u>
<u>Williams Way South</u>	<u>Village Green South</u>	<u>West</u>

Dated: Riverhead, New York
September 5, 1995

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

*overstrike represents deletion(s)

**underscore represents addition(s)

Adopted

1/5/95

TOWN OF RIVERHEAD

Resolution # 589

AUTHORIZES THE NAMING OF A PRIVATE ROAD AT THE END OF SILVER BEECH LANE IN BAITING HOLLOW

COUNCILWOMAN GILLIAM

offered the following resolution, which was

seconded by **COUNCILMAN CREIGHTON**

WHEREAS, the Town Board has received the attached petition from the property owners, requesting a private road at the end of Silver Beech Lane, Baiting Hollow, New York, further described as Suffolk County Tax Map #0600-39-7-road, be named "Osprey Overlook"; and

WHEREAS, the Highway Department Superintendent has received the request and accepts the name of the private road as "Osprey Overlook".

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the name of the private road at the end of Silver Beech Lane, Baiting Hollow, New York as "Osprey Overlook"; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the United States Post Office, Riverhead Annex; Calverton Annex; Riverhead Fire Department; Wading River Fire Department; the Highway Department; the Tax Receiver's Office; the Assessor's Office and the Planning Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

9/5/95

Tabled

Tabled

Tabled

TOWN OF RIVERHEAD

590

Resolution # _____

AUTHORIZES COMMUNITY SERVICE PROGRAM WITHIN THE TOWN OF RIVERHEAD

COUNCILMAN PRUSINOWSKI

offered the following resolution, which was

COUNCILMAN STARK

seconded by _____

WHEREAS, community service has proven to be an effective component of judicial process employed by the Riverhead Justice Court; and

WHEREAS, any community service which is currently made part of a pre-plea disposition or sentence is performed under the American Red Cross auspices; and

WHEREAS, community service performed in adjoining municipalities through programs established by those municipalities has provided benefits to those municipalities.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board be and hereby determines that a need exists and that benefits can be obtained from the creation of a Town of Riverhead Community Service Program; and be it further

RESOLVED, that the Town Board be and hereby directs that Kenneth P. Testa, O.E. be named Director of Community Service Programs; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Justice Richard A. Ehlers; Justice Henry S. Saxtein; Kenneth P. Testa, P.E.; and the Accounting Department.

COUNCILMAN PRUSINOWSKI OFFERED THE RESOLUTION TO BE T A B L E D, WHICH WAS SECONDED BY COUNCILMAN STARK.

THE RESOLUTION WAS DECLARED TO BE TABLED.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusnowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 591

AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER NO. 1
RE: SUFFOLK THEATER RENOVATION

ADOPTED: SEPTEMBER 5, 1995

COUNCILMAN PRUSINOWSKI

offered the following resolution which

was seconded by **COUNCILMAN CREIGHTON**

WHEREAS, the Riverhead Town Board previously authorized the supervisor to execute a contract on behalf of the Town of Riverhead with Madison Restoration Corporation for the restoration of the Suffolk Theater facade and marquee, Town of Riverhead Resolution #237, adopted April 4, 1995; and

WHEREAS, additional masonry work was required in order to successfully complete this project.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor and/or his representative be and is hereby authorized to execute the attached change order for replacement of defective back-up masonry at the second floor columns and replacement of bulging facade masonry on the north and south parapets in the amount of four Thousand Five Hundred Forty Five Dollars & 00 Cents (\$4,545.00); and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Madison Restoration Corporation, 5 Penn Plaza, 16th Floor, New York, NY 10001, Rothzeid, Kaiserman, Thomson & Bee, 132 West 2nd Street, New York, NY 10011 and Kenneth Testa.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore
declared duly adopted

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution #592

DETERMINATION OF SIGNIFICANCE OF SPECIAL PERMIT PETITION OF THE
KNOLLS AT FOX HILL

COUNCILMAN CREIGHTON

offered the following

resolution, which was seconded by **COUNCILWOMAN GILLIAM** :

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from the Knolls at Fox Hill for an off premises directory sign to be located on a 9.2 acre parcel zoned Agriculture "A" and known by Suffolk County Tax Map No. 0600-39-4-6; and

WHEREAS, the Riverhead Planning Department has reviewed the supporting documentation and recommends the petition be considered a Type II Action pursuant to 6NYCRR Part 617.13(d)(8), and

WHEREAS, pursuant to 6NYCRR Part 617.3(j) and 617.5(a)(1), agency responsibilities for SEQR end with this designation and no determination of significance is required, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board considers the special permit application of the Knolls at Fox Hill to be Type II for purposes of compliance with SEQR, and

BE IT FURTHER

RESOLVED, that this classification be considered effective for any related petition subject to SEQR review, and

BE IT FURTHER

RESOLVED, that the Town Clerk be directed to refer the petition to the Riverhead Planning Board for their review and recommendation, 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.

Adopted

09/05/95

TOWN OF RIVERHEAD

Resolution # 593

APPOINTS FILL-IN COOK AT RIVERHEAD NUTRITION CENTER

COUNCILWOMAN GILLIAM

offered the following

COUNCILMAN CREIGHTON

resolution, which was seconded by

WHEREAS, there has been a substantial increase in the number of seniors who utilize our congregate and homebound nutrition program,

WHEREAS, the monthly Twilight Dinners register over 90 people for each event, increasing the need for adequate staff coverage at all times,

AND WHEREAS kitchen staff and Meals on Wheels drivers are entitled to vacation days, sick time and/or personal time,

NOW, THEREFORE, BE IT RESOLVED, that Troy Sidik be and is hereby appointed as a Fill-in Cook, to ensure sufficient coverage and smooth operation of the Nutrition Program at all times, and to receive compensation of \$8.197 effective September 6, 1995.

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to Troy Sidik, Judy Doll, and the Office of Accounting.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Gilliam
Creighton
Stark
Prusinowski
The Resolution declared

SEPTEMBER 5, 1995

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 594

GRANTS A PARENTAGE LEAVE OF ABSENCE EXTENSION

COUNCILMAN PRUSINOWSKI OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILMAN STARK

WHEREAS, the CSEA contract permits an employee with one (1) year of service to be granted parentage leave of absence without pay for not more than twelve (12) months; and

WHEREAS, Kathleen Schroeder was granted a parentage leave of absence commencing 7/10/95 and terminating 9/5/95; and

WHEREAS, by letter dated August 16, 1995, Kathleen Schroeder has requested an extension of her leave until September 18, 1995;

NOW THEREFORE BE IT RESOLVED, that Kathleen Schroeder is granted an extension of her parentage leave through September 18, 1995; and

BE IT FURTHER RESOLVED, that the Town Clerk be, and hereby is, directed to forward a certified copy of this resolution to Kathleen Schroeder and the Accounting Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution # 595

CONTINUES RETAINER WITH RAINS & POGREBIN, P.C. AS COUNSEL

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

WHEREAS, Rains & Pogrebin, P.C. was retained by the Town of Riverhead as counsel to the Town Attorney by resolution number 759 adopted on November 8, 1989; and

WHEREAS, a proposed retainer by Rains & Pogrebin, P.C. for a term of three (3) years, effective July 1, 1995 has been delivered to the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby authorizes that the law firm of Rains & Pogrebin, P.C. be retained as counsel to the Town Attorney at the rate set forth in retainer dated June 20, 1995; and be it further

RESOLVED, the Deputy Supervisor is hereby authorized to execute the retainer dated June 20, 1995; and be it further

RESOLVED, that the Town Board be and hereby approves the continued retention of the law firm of Rains & Pogrebin, P.C., of counsel to the Town Attorney at the rate as set forth currently on file with the Town Clerk; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forward a certified copy of this resolution to Rains & Pogrebin, P.C., 210 Old Country Road, Mineola, New York, 11501; the Town Attorney's Office; and the Accounting Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

TOWN OF RIVERHEAD

Resolution # 596

AUTHORIZES MALCOLM PIRNIE TO PREPARE MAP AND PLAN FOR CHLORINE CONTACT TANK

COUNCILMAN CREIGHTON offered the following resolution which was seconded by COUNCILWOMAN GILLIAM

RESOLVED, that Malcolm Pirnie, consulting engineers to the Riverhead Sewer District be and hereby are retained to prepare a map and plan suitable for public hearing, regarding improvements to the existing chlorine contact tank, at a cost not to exceed \$400.

RESOLVED, that the Town Clerk forward certified copies of this resolution to Malcolm Pirnie, Pierre G. Lundberg, Esq. and the Superintendent of the District.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusnowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

TOWN OF RIVERHEAD

Resolution # 597

1995

**CONSENTS TO LAYING OUT OF CERTAIN TOWN HIGHWAY
KNOWN AS "BAYBERRY ROAD" IN WADING RIVER, TOWN OF
RIVERHEAD, COUNTY OF SUFFOLK**

COUNCILWOMAN GILLIAM

offered the following resolution, which was

seconded by

COUNCILMAN CREIGHTON

WHEREAS, by deed dated August 31, 1970, recorded in the Office of the Clerk of Suffolk County in Liber 6807 page 466, Keyesland Acres, Inc. conveyed to the Town of Riverhead land which included land depicted as "Bayberry Road Extension" as shown on survey of Young & Young dated July 21, 1994, a copy of which is annexed hereto; and

WHEREAS, plans for the construction of various improvements to said road known as "Bayberry Road" were submitted to the Planning Board of the Town of Riverhead; and

WHEREAS, the Superintendent of Highways has indicated his consent to laying out of the aforementioned Town Highway at no cost to the taxpayers.

NOW THEREFORE BE IT RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead, make an order laying out certain road known as "Bayberry Road", the said Town road to consist of the land described in the survey of Young & Young dated July 21, 1994 and to extend same as delineated therein; and it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Allen M. Smith, Esq., 737 Roanoke Avenue, P.O. Box 1240, Riverhead, New York, 11901; the Superintendent of Highways; the Riverhead Planning Board and the Town Attorney's Office.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

**The Resolution is therefore
declared duly adopted**

Young & Young, Land Surveyors
400 Ostrander Avenue, Riverhead, New York 11901
516-727-2303

Alden W. Young, Professional Engineer & Land Surveyor
Howard W. Young, Land Surveyor
Thomas C. Wolpert, Professional Engineer
Kenneth F. Abrusso, Land Surveyor

NOTE:

1. ■ = MONUMENT FOUND
2. ELEVATIONS SHOWN HEREON ARE FROM ACTUAL SURVEY AND ARE REFERENCED TO N.G.V.D. (M.S.L. 1929)

SURVEY FOR:
1994 SOUNDVIEW GOLF, INC.

At: WADING RIVER Town of: RIVERHEAD
Suffolk County, New York

Suff. Co. Tax Map:

600	51	1	8
District	Section	Block	Lot

CERTIFIED TO:
TOWN OF RIVERHEAD

Kenneth F. Abrusso

DATE : JULY 21, 1994
SCALE : 1" = 50'
JOB NO. : 94-0403
SHEET NO. : 1 OF 1

Adopted

SEPTEMBER 5, 1995

TOWN OF RIVERHEAD

Resolution # 598

COMMUNITY DEVELOPMENT AGENCY

BUDGET ADJUSTMENT

COUNCILMAN PRUSINOWSKI

OFFERED THE FOLLOWING RESOLUTION WHICH

WAS SECONDED BY COUNCILMAN STARK

IT IS RESOLVED, THAT THE SUPERVISOR BE, AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

19890.492550.07001
19890.493000.07002

NYS DEPT. OF ECON. DEVELOP.
US DEPT. OF DEFENSE

FROM:

\$150,000
219,000

19890.543900.07001
19890.543900.07002
19890.543405.07002
19890.511500.07002

CONSULTANT EXPENSE
CONSULTANT EXPENSE
TRAVEL EXPENSE
ADMINISTRATIVE STAFF

TO:

\$150,000
180,000
4,000
35,000

The Vote

Gilliam	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

SEPTEMBER 5, 1995

TOWN OF RIVERHEAD

Resolution # 599

WATER DISTRICT
BUDGET ADJUSTMENT

COUNCILMAN STARK OFFERED THE FOLLOWING RESOLUTION WHICH

IS SECONDED BY COUNCILMAN PRUSINOWSKI

IT RESOLVED, THAT THE SUPERVISOR BE, AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

		FROM:
000000.390599.00000	APPROPRIATED FUND BALANCE	\$10,000
		TO:
112.083200.543401.00000	TRAINING EXPENSE	\$5,000
112.083200.542503.00000	CHEMICAL EXPENSE	5,000

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

SEPTEMBER 5, 1995

TOWN OF RIVERHEAD

Resolution # 600

MADISON AVENUE SEWER LATERAL

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN CREIGHTON

OFFERED THE FOLLOWING RESOLUTION WHICH

AS SECONDED BY

COUNCILWOMAN GILLIAM

IT RESOLVED, THAT THE SUPERVISOR BE, AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

18.092705.421050.20002

DEVELOPER FEES

FROM:

\$3000

TO:

18.081300.523012.20002

SEWER LATERAL CONSTR.
ENGINEERING EXPENSE

\$1500

1500

18.081300.543504.20002

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

1/5/95

TOWN OF RIVERHEAD

Resolution # 601

APPROVES SITE PLAN OF EDWARD CLARK - GAS STATION & CONVENIENCE STORE

COUNCILWOMAN GILLIAM

offered the following

resolution, which was seconded by **COUNCILMAN CREIGHTON**

WHEREAS, a site plan and elevations were submitted by Edward L. Clark, as agent for Alba Enterprises, Inc. for the renovation of a former gas station for use as a gas station and accessory convenience store, and attendant site improvements, located at 626 West Main Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-124-3-21.1; and

WHEREAS, the Planning Department has reviewed the site plan dated last August 23, 1995, as prepared by Harold E. Gebhard, R.A., 363 North Wellwood Avenue, Lindenhurst NY 11757, and elevations dated in-house April 26, 1994, as prepared by Harold E. Gebhard, R.A., 363 North Wellwood Avenue, Lindenhurst NY 11757, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

WHEREAS, a copy of the site plan has been marked and 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 95-567 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 Edward L. Clark, as agent for Alba Enterprises, Inc., for the renovation of a former gas station for use as a gas station and accessory convenience store, and attendant site improvements, located at 626 West Main Street, Riverhead, New York, site plan dated last August 23, 1995, as prepared by Harold E. Gebhard, R.A., 363 North Wellwood Avenue, Lindenhurst NY 11757, and elevations dated in-house April 26, 1994, as prepared by Harold E. Gebhard, R.A., 363 North Wellwood Avenue, Lindenhurst NY 11757, 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, Alba Enterprises, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at 626 West 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;

15. That the retail use shall remain an accessory use in perpetuity;

16. That the planting plan and schedule shall be amended to include buffer plantings along both the north and west property lines, as well as a 4" layer of screened topsoil and seed mixture specification and rate of application in the area not presently proposed for development, as indicated on the site plan approved herein and initialled by a majority of the Town Board, that said details shall be approved by the Planning Department prior to their installation on site, and that said installation shall be completed within fourteen days from the date of this resolution;

17. That any deviation from tank installation, piping, and product dispenser location drawings as approved by the Suffolk County Department of Health Services shall result in the necessity for an amendment to this approval; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Edward L. Clark, as agent for Alba Enterprises, Inc., the Riverhead Planning Department, Riverhead Building Department, Office of the Town Attorney, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1995 made Alba Enterprises, Inc., residing at 123 Peninsula Drive, Babylon NY 11702, 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 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 at 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, flower boxes, window boxes or other container plantings shall likewise be maintained on a year-end basis;

10. That all new 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 to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

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

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

14. That the retail use shall remain an accessory use in perpetuity.

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

ALBA ENTERPRISES, 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

May 5, 1995

TOWN OF RIVERHEAD

Resolution # 602

AMENDS SITE PLAN OF THE KNOLLS AT FOX HILL (FORMERLY BLUFFS II)

CILMAN PRUSINOWSKI

offered the following

COUNCILMAN STARK

which was seconded by _____:

WHEREAS, by Resolution # #718, #304, #377, and #486, dated December 16, 1986, April 25, May 19, 1993, and July 5, 1994, respectively,, the Riverhead Town Board did approve the site plan of Baiting Hollow Development Corp. for the construction of "The Bluffs - Phase II Units" located at the intersection of Fox Hill Drive, Baiting Hollow, New York, known and designated as Suffolk County Tax Parcel Number 0600-11.1-2-1.1, and

WHEREAS, Baiting Hollow Development Corp. has requested that a modification of said site plan in regard to an amendment to provide for the reduction in total number of units and the relocation and reconfiguration of Buildings 3000 and 3100, as per a partial preliminary site plan dated May 14, 1995, prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated May 14, 1995, as prepared by Donald A. Denis, AIA, P.O. Box 565, Aquebogue NY 11931 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 95-1971 of the Office of the Town Engineer 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 Baiting Hollow Development Corp. to provide for the following:

an amendment to provide for the reduction in total number of units and the relocation and reconfiguration of Buildings 3000 and 3100, as per a partial preliminary site plan dated May 14, 1995, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated May 14, 1995, as prepared by Donald A. Denis, AIA, P.O. Box 565, Aquebogue NY 11931, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Baiting Hollow Development Corp., the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

The Vote		
Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

9/5/95

TOWN OF RIVERHEAD

Resolution # 603

APPOINTS PART-TIME POLICE OFFICER

COUNCILMAN STARK

offered the following resolution,

COUNCILMAN PRUSINOWSKI

which was seconded by _____:

WHEREAS, the Chief of Police of the Riverhead Police Department is in receipt of an application from Eileen McCavanagh for the position of part-time police officer; and

WHEREAS, Eileen McCavanagh has successfully completed the required courses and is a fully certified Police Officer.

NOW, THEREFORE, BE IT RESOLVED, that Eileen McCavanagh be and is hereby appointed to the position of Part-Time Police Officer effective immediately at the hourly rate of \$10.50; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Eileen McCavanagh, the Chief of Police and the Accounting Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

**The Resolution is therefore
declared duly adopted**

Adopted

TOWN OF RIVERHEAD

Resolution # 604

APPOINTS PART-TIME POLICE OFFICERS AND PLACES THEM ON LEAVES OF ABSENCE

COUNCILMAN CREIGHTON

offered the following resolution,

which was seconded by

COUNCILWOMAN GILLIAM

WHEREAS, the Chief of Police of the Riverhead Police Department is in receipt of an applications for the position of part-time police officers.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be and are hereby appointed to the position of Part-Time Police Officer effective immediately:

- Susan Campbell
- Steven Fabb
- Leonard Forte
- Robert Wicklund

BE IT FURTHER RESOLVED, that the above-named individuals shall be place on a leave of absence until such time as they shall successfully complete a Town of Riverhead Police Department personnel investigation, Suffolk County Department of Civil Service testing and completion of the Part-Time Suffolk County Police Academy upon its next commencement; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Susan Campbell, Steven Fabb, Leonard Forte, Robert Wicklund, the Chief of Police and the Accounting Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

9595

Adopted

1995

TOWN OF RIVERHEAD

Resolution # 605

AUTHORIZES THE ATTENDANCE OF POLICE OFFICERS AT CONFERENCE

COUNCILWOMAN GILLIAM offered the following resolution,
COUNCILMAN CREIGHTON

which was seconded by _____:

WHEREAS, the Chief of Police has requested that Riverhead Police Officers be authorized to attend the Annual NYS Crime Prevention Coalition Conference to be held October 24-27, 1995, at Saratoga Springs, New York.

NOW, THEREFORE, BE IT RESOLVED, that two police officers be and are hereby authorized to attend the Annual NYS Crime Prevention Coalition Conference to be held October 24-27, 1995, at Saratoga Springs, New York, the costs and expenses should not exceed \$575.00, which shall be receipted upon the officers' return; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Chief of Police and the Accounting Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

606
COUNCILMAN PRUSINOWSKI

RESOLUTION #38-95 AUGUST 31, 1995 (TBM 9/5/95)

COUNCILMAN STARK

offered the following resolution, which was seconded

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

Adopted

ACCOUNTS	TOTALS
GENERAL TOWN 001	\$441,621.61
PARKING METER 002	\$7.90
AMBULANCE FUND 003	\$0.00
POLICE ATHLETIC LEAGUE 004	\$2,856.95
TEEN CENTER 005	\$75.00
RECREATION PROGRAM 006	\$9,470.66
SENIOR NUTRITION SITE COUNCIL 007	\$0.00
D.A.R.E. PROGRAM FUND 008	\$606.00
CHILD CARE BUILDING FUND 009	\$0.00
HIGHWAY 111	\$58,457.01
WATER 112	\$53,654.61
REPAIR & MAINTENANCE 113	\$0.00
SEWER 114	\$28,133.22
REFUSE & GARBAGE COLLECTION 115	\$12,624.37
STREET LIGHTING 116	\$7,399.15
PUBLIC PARKING 117	\$5,416.46
BUSINESS IMPROVEMENTS DISTRICT 118	\$0.00
T.O.R. URBAN DEV CORP TRUST A/ 119	\$0.00
WORKER'S COMPENSATION FUND 173	\$0.00
HOSPITALIZATION SELF INSURANCE 174	\$0.00
RISK RETENTION FUND 175	\$22,728.18
UNEMPLOYMENT INSURANCE FUND 176	\$0.00
MAIN STREET REHAB PROGRAM 177	\$0.00
REVOLVING LOAN PROGRAM 178	\$2,506.21
RESIDENTIAL REHAB 179	\$50.00
DISCRETIONARY/SMALL CITIES 180	\$0.00
COBG CONSORTIUM ACCOUNT 181	\$848.42
URBAN DEVEL CORP WORKING 182	\$0.00
RESTORE 184	\$0.00
PUBLIC PARKING DEBT 381	\$0.00
SEWER DISTRICT DEBT 382	\$0.00
WATER DEBT 383	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00
SCAVANGER WASTE DISTRICT DEBT 385	\$0.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$4,549.99
EIGHT HUNDRED SERIES 408	\$0.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00
NUTRITION CAPITAL IMPROVEMENTS 441	\$0.00
CHIPS 451	\$0.00
YOUTH SERVICES 452	\$1,897.99
SENIORS HELPING SENIORS 453	\$1,533.53
RISE 454	\$1,010.12
SCAVANGER WASTE CAP PROJECT 470	\$0.00
MUNICIPAL FUEL FUND 625	\$1,698.81
MUNICIPAL GARAGE 626	\$12,047.60
TRUST & AGENCY 735	\$430,116.18
SPECIAL TRUST 736	\$0.00
COMMUNITY DEVELOPMENT AGENCY 915	\$0.00
JOINT SCAVENGER WASTE 918	\$17,933.18
PAYROLL CLEARING ACCOUNT 998	\$0.00
CENTRAL CLEARING ACCOUNT 999	\$0.00
*****GRAND TOTAL*****	\$1,117,243.15

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

COUNCILMAN PRUSINOWSKI

COUNCILMAN STARK

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

ACCOUNTS	TOTALS
GENERAL TOWN 001	\$450,382.19
PARKING METER 002	\$0.00
AMBULANCE FUND 003	\$0.00
POLICE ATHLETIC LEAGUE 004	\$0.00
TEEN CENTER 005	\$0.00
RECREATION PROGRAM 006	\$14,546.95
SENIOR NUTRITION SITE COUNCIL 007	\$0.00
D.A.R.E. PROGRAM FUND 008	\$0.00
CHILD CARE BUILDING FUND 009	\$0.00
HIGHWAY 111	\$46,064.93
WATER 112	\$34,252.85
REPAIR & MAINTENANCE 113	\$0.00
SEWER 114	\$13,321.40
REFUSE & GARBAGE COLLECTION 115	\$12,733.34
STREET LIGHTING 116	\$16,609.57
PUBLIC PARKING 117	\$2,123.06
BUSINESS IMPROVEMENTS DISTRICT 118	\$576.00
T.O.R. URBAN DEV CORP TRUST A/ 119	\$0.00
WORKER'S COMPENSATION FUND 173	\$0.00
HOSPITALIZATION SELF INSURANCE 174	\$0.00
RISK RETENTION FUND 175	\$0.00
UNEMPLOYMENT INSURANCE FUND 176	\$0.00
MAIN STREET REHAB PROGRAM 177	\$0.00
REVOLVING LOAN PROGRAM 178	\$2,506.21
RESIDENTIAL REHAB 179	\$6,860.00
DISCRETIONARY/SMALL CITIES 180	\$0.00
CDRG CONSORTIUM ACCOUNT 181	\$2,306.28
URBAN DEVEL CORP WORKING 182	\$0.00
RESTORE 184	\$0.00
PUBLIC PARKING DEBT 381	\$0.00
SEWER DISTRICT DEBT 382	\$0.00
WATER DEBT 383	\$500.00
GENERAL FUND DEBT SERVICE 384	\$1,350.00
SCAVANGER WASTE DISTRICT DEBT 385	\$0.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$5,404.15
EIGHT HUNDRED SERIES 408	\$0.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00
NUTRITION CAPITAL IMPROVEMENTS 441	\$0.00
CRIPS 451	\$0.00
YOUTH SERVICES 452	\$1,456.62
SENIORS HELPING SENIORS 453	\$1,887.82
FIREF 454	\$1,140.53
SCAVANGER WASTE CAP PROJECT 470	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00
MUNICIPAL GARAGE 626	\$7,047.77
TRUST & AGENCY 735	\$424,809.45
SPECIAL TRUST 736	\$0.00
COMMUNITY DEVELOPMENT AGENCY 915	\$0.00
JOINT SCAVANGER WASTE 918	\$10,252.96
PIEBOLL CLEARING ACCOUNT 998	\$0.00
CENTRAL CLEARING ACCOUNT 999	\$0.00
*****GRAND TOTAL*****	\$1,056,132.08

Adopted

The Vote

Gilliam	Yes	No
Creighton	Yes	No
Stark	Yes	No
Prusinowski		

The Resolution is therefore declared duly adopted

The Vote

Gilliam	Yes	No
Creighton	Yes	No
Stark	Yes	No
Prusinowski	Yes	No

The Resolution is therefore declared duly adopted

Adopted

TOWN OF RIVERHEAD

Resolution # 607

AUTHORIZES DEPUTY SUPERVISOR TO EXECUTE AGREEMENT WITH ROTHZEID, KAISERMAN, THOMSON & BEE (SUFFOLK THEATRE - PHASE II)

COUNCILMAN PRUSINOWSKI

_____ offered the following resolution,

which was seconded by _____

COUNCILMAN STARK

RESOLVED, that the Deputy Supervisor be and is hereby authorized to execute an agreement with Rothzeid, Kaiserman, Thomson & Bee for Phase II of the restoration of the Suffolk Theatre, including modernization of mechanical, electrical, plumbing, life safety and related services; restrooms, handicap accessibility and restored seating; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Rothzeid, Kaiserman, Thomson & Bee, the Office of the Supervisor, Ken Testa, Town Engineer and Councilman Prusinowski.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted