

8/2/94

## TOWN OF RIVERHEAD

Resolution # 546ADOPTS SEQRA FINDINGS STATEMENT RELATIVE TO THE SPECIAL PERMIT  
PETITION OF OKEANOS OCEAN RESEARCH FOUNDATIONCOUNCILMAN PRUSINOWSKI

offered the following

resolution, which was seconded by COUNCILMAN CREIGHTON :

**WHEREAS**, the Riverhead Town Board is in receipt of a special use permit petition from the Okeanos Ocean Research Foundation for the development of an aquarium and sea mammal research and rehabilitation facility on real property located on East Main Street, Riverhead, New York, and

**WHEREAS**, the Riverhead Town Board as lead agency and by resolution number 178 of 1994, did accept a Draft Environmental Impact Statement (DEIS) as submitted by the applicant, and

**WHEREAS**, the Town Board has circulated the DEIS to involved agencies for their review and comment as required by the Environmental Conservation Law, and

**WHEREAS**, the Town Board did hold a SEQRA hearing on April 4, 1994 in order to gain the views of parties of interest upon the DEIS, and

**WHEREAS**, the lead agency did submit to the applicant a detailed compilation of those comments made by involved agencies and parties of interest upon the DEIS, and

**WHEREAS**, the applicant has submitted a response to commentary which has been considered by the Town Board, and

**WHEREAS**, the Town Board, by resolution number 501 of 1994 has formed a Final Environmental Impact Statement (FEIS) which has been filed and circulated pursuant to the New York State Environmental Conservation Law, and

**WHEREAS**, the Town Board has reviewed and carefully considered the FEIS, as well as all written and oral comments received with respect to the instant special permit petition, now

**THEREFORE, BE IT**

**RESOLVED**, that in connection with the special permit petition of the Okeanos Ocean Research Foundation, the Riverhead Town Board has fully considered its impact upon the orderly development of the Town of Riverhead as well as the health,

safety, welfare, comfort, convenience and order of the Town, and hereby accepts the SEQRA Findings Statement as set forth below in this resolution, and

**BE IT FURTHER**

**RESOLVED**, the Town Board hereby determines:

i. That the requirements of Part 617, New York Code of Rules and Regulations, Title 6, have been met;

ii. That the development is consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable;

iii. That in making its findings and determination under SEQRA, the Town Board has relied upon the facts and conclusions in the GEIS as well as the environmental record which includes the recommendations of both the Planning Department and experts retained to advise the Town Board; such findings and determinations as follows:

**SEQRA FINDINGS**

FIRST: The Town Board has carefully and thoroughly reviewed the information contained in the FEIS and comments thereon and found the document to be an adequate examination of all important potential impacts which would result from an affirmative action upon the subject special permit application. In particular, a review of land use, socioeconomic, physical, ecological, roadway and traffic and community service considerations was undertaken and included in the DEIS; comments were received on that information and responses to that commentary were included in the FEIS, which responses this Board has determined to be accurate.

SECOND: The environmental review of this special permit action has afforded the Town Board and other involved agencies a clear understanding of the potential environmental impacts that might arise from the construction and operation of the Aquarium. To the extent possible, the applicant presented detailed information regarding certain impacts, most notably traffic, circulation and parking which can be reasonably anticipated and analyzed within the SEQRA record.

THIRD: In consideration of the special permit action, the Riverhead Town Board finds the following:

- i. That the proposed aquarium facility is considered to be a regional tourist destination facility designed to attract visitors from the New York Metropolitan area.

The facility is complementary to the Economic Development Policy of the Town of Riverhead as stated in the Town of Riverhead Master Plan (1973), the Urban Renewal Plan for the Central Business District (1993), the Retail Analysis for the Central Business District as adopted by the Town of Riverhead Business Improvement District. The aquarium facility is considered to be in conformance with the stated goals of the promotion of tourist destination points, the attraction of river related development and the development of cultural resources within the Main Street Urban Renewal Area;

- ii. That the aquarium is expected to attract an estimated 1,000,000 visitors annually. The generation of increased numbers of persons within the Central Business District is expected to have a significant impact upon the level of retail sales within the Business District. Further, the influx of visitors is expected to provide the business climate necessary to allow the development of additional tourist related uses which are attendant to and supportive of the aquarium use;
- iii. That the Okeanos facility is a center which will provide information upon the unique ecological resources of the Peconic Estuary; such estuary considered by the Nature Conservancy to be one of global importance. The location of the facility within the Peconic Estuary itself is expected to further public understanding of the estuary marine environment and the importance of its natural resources. Further, as the facility is expected to establish joint research arrangements with local universities the proposed aquarium will function as a regional marine research center;
- iv. The proposed aquarium site lies within the Riverhead Central Business District Urban Renewal Area. The Urban Renewal Plan for the district contemplated the proposed use;
- v. The proposed aquarium site lies within the Town of Riverhead Sewer District. The capacity of the district treatment facility is considered to be adequate to both collect and treat the 30,000 gallons of sanitary wastewater expected to be generated daily. The Riverhead Sewer District will collect and treat sanitary wastewater exclusively. Effluent water originating from either display or rehabilitation tanks will not be accepted by the Sewer District;
- vi. The aquarium design relies upon the removal of surface water from the Peconic Estuary for display and holding

tank water and the recharge of this same water to the estuary. Analysis conducted as part of the DEIS concluded that the discharge of such water would not impact upon the salinity regime or the coliform levels existing within the estuary. However, since expected nutrient levels cannot be accurately predicted, the Town shall require a discharge monitoring program designed to maintain permitted nutrient levels in the discharge. In the event that unacceptable nutrient levels are identified, mitigation measures such as scrubbers or disinfectant shall be employed. The discharge and required monitoring program will be regulated by the New York State Department of Environmental Conservation through the relevant SPEDES permit;

- vii. The applicant proposes the use of an upper glacial well on site for the redrawing of freshwater for use within display and holding tank water. The impacts of this well is not expected to significantly impact the hydrodynamics of the freshwater/saltwater interface. These hydrodynamics will be analyzed by the New York State Department of Environmental Conservation in its decision on the relevant well permit;
- viii. The project site is regulated by the New York State Department of Environmental Conservation pursuant to Article 25, Tidal Wetlands. Due to improvements already existing on the site and due to the proposed enhancement of existing wetland areas a variance and permit from the New York State Department of Environmental Conservation is expected to be issued;
- ix. The construction of the proposed aquarium relies upon the issuance of several permits by the New York State Department of Environmental Conservation. Given that these permits will not be in place at the time of the Town Board special permit decision, the Town will predicate the relevant building permit upon the issuance of these permits;
- x. The construction of the proposed facility will require site improvements. In order to mitigate the impacts of construction upon the Peconic River Estuary or upon the Central Business District, the following measures will be required:
  - 1. In the event that dewatering of the site is required, all recovered water will be recharged on site. No dewatering effluent will be permitted to travel overland off site or onto public highways;

2. The filling of portions of the site will be necessary in order to achieve appropriate grades. Since a balanced cut and fill has been established, no importation of fill material will be required nor will removal of fill be necessary. In order to minimize siltation of the Peconic estuary, sediment and erosion control measures shall be required and made part of the contemplated site plan approval;
  3. The storage of construction materials and equipment will require the use of Town property adjacent to the project site. The use of this land for this purpose will reduce the available parking spaces within the Parking District by twenty (20) spaces. The construction staging area will be returned to its original condition pursuant to an agreement between the Town and the applicant.
- xi. The real property proposed for aquarium construction lies within the boundaries of the Town of Riverhead Parking District. It is the obligation of the Parking District to provide that parking necessary to support the development and economic viability of the proposed land use.

The lead agency has completed an analysis of the impacts of the aquarium use upon the parking facilities within the Parking District. The analysis has identified a total parking space supply of 1,100 spaces within the district, with a current occupancy of 53% or 583 spaces utilized. Assuming full occupancy of the improved real property within the district and a average duration of four (4) hours for aquarium visitor parking, there will result a parking deficit of 291 parking spaces at peak parking demand times.

In order to provide that parking necessary for the proposed aquarium use as well as for existing business uses within the parking district, the parking capacity within the District must be augmented. Further it is necessary that such additional parking is at provided aquarium opening and that parking facilities are provided in a location convenient for aquarium visitors. In this regard, the lead agency has considered several alternative approaches for parking improvements. These have included parking structures upon lands of the parking district, additional surface parking through land acquisition and a new parking facility on the south side of the Peconic River opposite the aquarium site.

It is the conclusion of the lead agency, that in order to mitigate the impacts of parking demand upon the existing facilities of the Riverhead Parking District in the most efficient and timely manner, that the Riverhead Parking District provide required additional parking upon lands presently held by the Parking District. The optimum area for such parking is the existing parking area located between Roanoke and East Avenue; preferable due to its location which is considered to be within walking distance of the aquarium and convenient to existing and proposed commercial uses within the Central Business District. In order to provide the 291 spaces necessary to mitigate aquarium parking demand and to ensure a facility which is safe and esthetically pleasing, the District shall construct a decked parking system which will rely upon the excavation of the existing parking area to a depth of three (3) feet below grade, the construction of surface parking at this elevation and the construction of a parking tier at an elevation of seven (7) feet. This design is considered to be a facility which avoids the negative elements associated with traditional parking garages and is in keeping with the visual quality existing within the Riverhead downtown.

The proposed decked parking facility will be constructed under the authority of the Riverhead Parking District and will be financed through the expected revenues to be generated by the fee use of the facility. Given an estimated capital cost of four (4) million dollars for the facility with an estimated annual principle and interest payment of \$480,000.00 (20 years) a nominal parking fee for aquarium visitors is expected to provide the revenue necessary to finance the parking facility. Further, the increase in the total assessed value of the Parking District due to aquarium construction is expected to decrease the existing tax rate within the District. This approach is expected to produce a positive impact upon the resources of the Parking District.

In order to ensure that visitors to the aquarium use the decked parking system, it is recommended that the Parking District institute a management plan for existing parking district facilities. This plan should provide for parking control and paid parking within existing surface parking areas with discounted parking made available to residents through permits and to those accessing the commercial uses within the Central Business District through voucher. In addition, there shall be no free visitor parking along the existing public highways serving residential areas within the business district supported by a rigorous enforcement program.

xii. The aquarium use is expected to attract an estimated one million visitors annually with a peak in the months of June, July and August. This level of visitation will result in the generation of 283 vehicles per hour at peak demand times with 80% of vehicles expected to arrive from the west. In order to provide for the most efficient circulation of these vehicles and to mitigate against traffic congestion on Main Street, the Town Board could require the following improvements and modifications to existing roadway networks:

1. Motor vehicles shall be directed to access the proposed parking facility from the north. This shall be achieved by encouraging aquarium destined vehicles to enter the business district eastbound via Court Street to the parking facility. This approach will require the extension of Court Street to a connection with Railroad Avenue at a point approximately 200 feet west of Roanoke Avenue. This will provide efficient access to Roanoke Avenue to allow southbound traffic to the parking facility. In order to provide for additional access to the parking facility from East Avenue and thereby ensure better circulation, the Town Board could extend Railroad Avenue east from the intersection with Roanoke Avenue to East Avenue along the southerly property line of the MTA. The Court Street extension and the Railroad Avenue extension will require the acquisition of real property presently held by the County of Suffolk, Nassau Suffolk Lumber, and various residential property owners along the north side of Third Street.
2. In order to reduce the potential for the reduction in the level of service of the intersection of Roanoke Avenue and Main Street, the Town Board will request the County of Suffolk to provide for one-way south bound traffic on Roanoke Avenue for that portion of the roadway south of its intersection with the access to lands of the Parking District. This will restrict northbound turning movements from Main Street to Roanoke Avenue. Existing parking areas would be accessed from the south by East Avenue and Griffing Avenue.
3. The proposed aquarium is expected to significantly increase the volume of pedestrian traffic in the Riverhead Central Business District. This effect is desirable as the Town Board has identified a goal to enhance pedestrian traffic within the downtown area to

both take advantage of existing resources and to provide for a better commercial environment for existing businesses. In keeping with this objective, it is a finding of this Board that enhanced pedestrian environment results from the reduction in speeds of vehicles travelling on Main Street and from the reduction of through traffic on Main Street. In order to achieve this result, the Town Board will petition the State of New York to reroute New York State Route 25 over Court Street and Griffing Avenue and will further petition the State to close that portion of Route 25 between Nugent Drive and Osborne Avenue in order to provide for pedestrian and open space values in and around the Suffolk County Historical Museum. This action is expected to route aquarium traffic to designed parking facilities and will further reroute eastbound through traffic from Main Street to Suffolk County Route 24 which is currently improved to accept through traffic.

To further enhance pedestrian movements within the Central Business District, the Town Board will petition the State of New York for improvements within the right of way between Roanoke Avenue and the aquarium site. These improvements will include the widening of existing sidewalks to accommodate pedestrian flow, the development of an on-street parking scheme to support existing businesses and reduce vehicle speeds, and esthetic improvements in order to visually and spatially connect the Central Business District with the aquarium use. The costs associated with all improvements to the New York State Right of Way will be made part of an improvement plan to be funded through State Highway grant programs.

4. It is expected that existing traffic conditions will worsen at the Peconic Avenue circle with increased traffic volumes causing congestion at peak hour traffic volumes. Increased capacity can only be provided by major reconstruction at the circle. In the future planning of this important intersection, it is critical that the Towns of Riverhead and Southampton, as well as the County of Suffolk and the State of New York, recognize the existing capacity constraints of the circle which will be exacerbated by additional traffic volumes associated with the revitalization of downtown Riverhead.

5. The success of the proposed circulation plan will rely upon a comprehensive roadway signage program to be established to assist in guiding motorists from preferred arrival routes (L.I.E., Route 24, Route 25) to the aquarium. In conjunction with the aquarium signage program, the Town Board will upgrade the existing signage to parking areas in the Parking District.

xiii. The applicant has requested that the lead agency support the development of the aquarium through the guarantee of debt not to exceed \$10,000,000.00 over a period not to exceed ten (10) years on bonds in the amount of \$58,000,000.00 to be issued by the Town of Riverhead Community Development Agency to pay costs of the facility. In order to provide the mechanism needed to allow for the Town's guarantee of the CDA debt, the Town of Riverhead Community Development Agency will designate the aquarium as a demonstration project of the CDA pursuant to Section 554 of the General Municipal Law, with the Okeanos Ocean Research Foundation designated as a Sponsor of the facility pursuant to Sections 556(2) and 507(2)(c) of the General Municipal Law.

The lead agency has assessed the impacts of the proposed financing upon both the Town of Riverhead and upon the Riverhead Community Development agency as follows:

- i. The bonds to be issued by the CDA are non-recourse revenue bonds to be retired through the revenues generated by the aquarium facility. Since general funds of the CDA are not involved with the revenue bond issue there is no fiscal impact directly upon the CDA or upon its ability to borrow in the future;
- ii. The approval of the proposed guarantee by the Town Board will be within the total housing and urban renewal debt limit of the Town under Article 18 of the New York State Constitution and is an obligation of the Town, payment of which is contingent upon various circumstances and will mostly likely be considered as debt of the Town by established rating agencies in the evaluation of future borrowing of the Town. The actual implementation of the guarantee might require borrowing of the Town in the future. This event would have an impact upon the Town in terms of the total tax warrant and the interest rate of public borrowing. Further, the \$10,000,000.00 in debt gurantee will almost exhaust the \$12,000,000.00 limit of the CDA

which will constraint the financing of future projects. These fiscal effects are those which can be expected to occur as a result of the Town Board decision to guarantee the afore described bonds of the CDA and are difficult to forecast in a meaningful way at this time. The Town Board finds that the guarantee is fundamental to the financing of the proposed facility and that the fiscal and economic benefits accruing to the Town outweigh the fiscal risks associated with the proposed funding.

COUNCILMAN STAFF

Should the following resolution

COUNCILMAN STAFF

is hereby recommended by

RESOLVED, that the Town Clerk be and is hereby directed to publish the following Public Notice in the August 7, 1984 and August 14, 1984 issues of The Daily Society Life, and the August 7, 1984 and August 14, 1984 issues of The Daily Review and The Transfer Distribution, and to post same on the Town Board in Room 142.

THE VOTE

Gilliam  Yes \_\_\_ No Creighton  Yes \_\_\_ No  
Stark  Yes \_\_\_ No Prusinowski  Yes \_\_\_ No  
Janoski \_\_\_ Yes \_\_\_ No *Absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
UNANIMOUSLY DECLARED ADOPTED

08/02/94

TOWN OF RIVERHEAD  
PUBLIC NOTICE

**TOWN OF RIVERHEAD**Resolution # 547**AUTHORIZES TOWN CLERK TO PUBLISH AND POST  
PUBLIC NOTICE RE: TOWN BOARD MEETING****COUNCILMAN STARK**

offered the following resolution,

which was seconded by **COUNCILMAN PRUSINOWSKI**:

**RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Public Notice in the August 3, 1994 and August 10, 1994 issues of **The Suffolk County Life**, and the August 4, 1994 and August 11, 1994 issues of **The News-Review** and **The Traveler-Watchman**, and to post same on the signboard(s) in Town Hall.

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that the location of the regular meeting of the Town Board of the Town of Riverhead scheduled for August 16, 1994, has been changed to the Jamesport Community Center, South Jamesport Avenue, South Jamesport, New York.

Dated: Riverhead, New York  
August 2, 1994.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

**THE VOTE**

Gilliam  Yes \_\_\_ No \_\_\_    Creighton  Yes \_\_\_ No \_\_\_  
 Stark  Yes \_\_\_ No \_\_\_    Prusinowski  Yes \_\_\_ No \_\_\_  
 Janoski \_\_\_ Yes \_\_\_ No \_\_\_    *Absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY DECLARED ADOPTED

8/2/94

## TOWN OF RIVERHEAD

Resolution # 548

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC  
NOTICE TO CONSIDER AN AMENDMENT TO CHAPTER 48 -  
BEACHES AND RECREATION CENTERS. OF THE RIVERHEAD  
TOWN CODE**

**COUNCILMAN CREIGHTON**

offered the following resolution, which was

seconded by **COUNCILWOMAN GILLIAM**:

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to amend the Town Code Chapter 48 Beaches and Recreation Centers., once in the Suffolk County Life Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 16th day of August, 1994 at 7:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the amendment to Chapter 48 Beaches and Recreation Centers. of the Riverhead Town Code as follows:

Sec. 48-13. Parking and parking permits.

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

Dated: Riverhead, New York  
August 2, 1994

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

\* Underscore represents addition(s)

**THE VOTE**

Gilliam  Yes \_\_\_ No    Creighton  Yes \_\_\_ No  
Stark  Yes \_\_\_ No    Prusinowski  Yes \_\_\_ No  
Janoski \_\_\_ Yes \_\_\_ No *Absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

8/2/94

## TOWN OF RIVERHEAD

Resolution # 549

**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**

**COUNCILWOMAN GILLIAM**

offered the following resolution, which was

seconded by **COUNCILMAN FRUSTON**

**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 19th day of July, 1994, at 7:05 o'clock p.m., at the Wading River Elementary School, Wading River Manorville Road, Wading River, 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.

**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 August 2, 1994:

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>Second Street</u>	<u>West Street</u>	<u>North and South</u>

Dated: Riverhead, New York  
August 2, 1994.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

\*overstrike represents deletion(s)  
\*\*underscore represents addition(s)

**THE VOTE**

Gilliam  Yes  No    Creighton  Yes  No  
 Stark  Yes  No    Prusinowski  Yes  No  
 Janoski  Yes  No    *Absent*

THE RESOLUTION WAS  WAS NOT

WHEREUPON DULY DECLARED ADOPTED

8/2/94

TOWN OF RIVERHEAD

RESOLUTION # 550

APPROVES APPLICATION OF EAST END ARTS COUNCIL

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

WHEREAS, East End Arts Council submitted an application for the purpose of conducting a music concert under the tent at the corner of Osborne Avenue and Lincoln Street, Riverhead, New York, on August 6, 1994; and

WHEREAS, a certificate of insurance pursuant to Section 90-13 of the Code of the Town of Riverhead has 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 of East End Arts Council for the purpose conducting a music concert under the tent at the corner of Osborne Avenue and Lincoln Street, Riverhead, New York, on August 6, 1994 be and is hereby approved; and

WHEREAS, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to East End Arts Council, 133 East Main Street, Riverhead, New York, 11901, and the Riverhead Police Department.

THE VOTE

Gilliam  Yes \_\_\_ No Creighton  Yes \_\_\_ No  
Stark  Yes \_\_\_ No Prusinowski  Yes \_\_\_ No  
Janoski \_\_\_ Yes \_\_\_ No *Absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

8/2/94

## TOWN OF RIVERHEAD

Resolution # 551

AUTHORIZES TOWN CLERK TO PUBLISH NOTICE OF PUBLIC HEARING  
REGARDING SPECIAL PERMIT PETITION OF OKEANOS OCEAN RESEARCH  
FOUNDATION

**COUNCILMAN STARK**

offered the following

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

**WHEREAS**, the Town Board is in receipt of a special use permit petition from the Okeanos Ocean Research Foundation for the development of an aquarium and sea mammal research center on real property located on East Main Street, Riverhead more particularly described as Suffolk County Tax Map Number 0600-129-4-18.5, and

**WHEREAS**, the SEQRA review of the petition is complete and Findings have been adopted, and

**WHEREAS**, the Town Board desires to hold a public hearing upon the subject special permit application, now

**THEREFORE, BE IT**

**RESOLVED**, that the Town Board authorizes the Town Clerk to publish and post the attached notice of public hearing in the matter of the subject special permit petition:

TOWN OF RIVERHEAD  
PUBLIC HEARING

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 16th day of August, 1994 at 7:20 p.m. o'clock at the Jamesport Community Center, South Jamesport Avenue, Jamesport, New York to hear all interested persons with regard to consider the special use permit application of the Okeanos Ocean Research Foundation for the development of an aquarium and sea mammal research and rehabilitation center on real property located on East Main Street, Riverhead; such property more particularly described as Suffolk County Tax Map Parcel No. 0600-129-4-18.5

DATED: Riverhead, New York  
August 2, 1994

By order of the Town Board of the  
Town of Riverhead

Barbara Grattan, Town Clerk

**THE VOTE**

Gilliam  Yes \_\_\_ No    Creighton  Yes \_\_\_ No  
Stark  Yes \_\_\_ No    Prusinowski  Yes \_\_\_ No  
Janoski \_\_\_ Yes \_\_\_ No *Absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
RESOLUTION DULY DECLARED ADOPTED

8/2/94

## TOWN OF RIVERHEAD

Resolution # 552ADOPTS AN AMENDMENT TO CHAPTER 52 - BUILDING CONSTRUCTION. OF THE RIVERHEAD TOWN CODE

COUNCILMAN GREIGHTON 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 52 Building Construction. of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 19th day of July, 1994, at 7:15 o'clock p.m., at the Wading River Elementary School, Wading River Manorville Road, Wading River, 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 52 Building Construction. of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

**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 August 2, 1994:

**Sec. 52-8.2 Land clearing permit.**

Where site plan review is required pursuant to Chapter 108, Zoning, Article XXVI, Site Plan Review, no person, firm or corporation shall undertake or carry any such activity or use, including any grading, clearing, cutting or filling, excavating or tree removal associated therewith, without first obtaining a land clearing permit from the Building Inspector.

Dated: Riverhead, New York  
August 2, 1994.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

\*overstrike represents deletion(s)  
\*\*underscore represents addition(s)

**THE VOTE**

Gilliam  Yes  No    Creighton  Yes  No  
Stark  Yes  No    Prusinowski  Yes  No  
Janoski  Yes  No *Absent*

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

8/2/94

## TOWN OF RIVERHEAD

Resolution # 553ADOPTS AN AMENDMENT TO CHAPTER 108 ZONING. ARTICLE XXVI SITE PLAN REVIEW. OF THE RIVERHEAD TOWN CODE

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

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an amendment to Chapter 108 Zoning. Article XXVI Site Plan Review. of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 19th day of July, 1994, at 7:20 o'clock p.m., at the Wading River Elementary School, Wading River Manorville Road, Wading River, 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 108 zoning. Article XXVI Site Plan Review. of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

**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 August 2, 1994:

**Sec. 108-129. C. Permits.**

No building permit or land clearing permit as required by Chapter 52, Building Construction, required for any such activity, including clearing or regrading of land, or the erection, construction, alteration, demolition or moving of any structure, shall be issued until the required site plan approval shall have been granted, and the approved site plan thereafter shall have been signed by a majority of the Town Board. Such signing shall occur only after all those conditions contained in the resolution of approval, or imprinted on the site plan by or on behalf of the Town Board, which are required to be complied with by the applicant before issuance of a building or land clearing permit have been met.

Dated: Riverhead, New York  
August 2, 1994.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

\*overstrike represents deletion(s)  
\*\*underscore represents addition(s)

**THE VOTE**

Gilliam  Yes \_\_\_ No \_\_\_ Creighton  Yes \_\_\_ No \_\_\_  
Stark  Yes \_\_\_ No \_\_\_ Prusinowski  Yes \_\_\_ No \_\_\_  
Janoski \_\_\_ Yes \_\_\_ No *Absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

8/2/94

## TOWN OF RIVERHEAD

Resolution # 554**ADOPTS AN AMENDMENT TO CHAPTER 108 - ZONING. OF THE RIVERHEAD TOWN CODE**

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

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an Amendment to Chapter 108 Zoning. of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 19th day of July, 1994, at 7:10 o'clock p.m., at the Wading River Elementary School, Wading River Manorville Road, Wading River, 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 108 Zoning. of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

**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 August 2, 1994:

Sec. 108-56.1 Penalties for offenses against sign provisions.

Any sign installed without benefit of a sign permit pursuant to Section 108-56 of the Riverhead town Code shall be charged a civil penalty of ~~one hundred dollars (\$100.)~~ Five Hundred Dollars (\$500.00) in addition to the sign permit and application fee as specified in Section 52-10 of the Riverhead Town Code. Said civil penalty shall be due and payable upon application for a sign permit.

Dated: Riverhead, New York  
August 2, 1994.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

\*overstrike represents deletion(s)  
\*\*underscore represents addition(s)

**THE VOTE**  
Gilliam  Yes \_\_\_ No \_\_\_ Creighton  Yes \_\_\_ No \_\_\_  
Stark  Yes \_\_\_ No \_\_\_ Prusinowski  Yes \_\_\_ No \_\_\_  
Janoski \_\_\_ Yes \_\_\_ No \_\_\_ *Absent*  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

8/2/94

## TOWN OF RIVERHEAD

Resolution # 555

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC  
NOTICE TO CONSIDER THE ESTABLISHMENT OF A COMMUNITY  
RESIDENTIAL FACILITY OPERATED BY THE AID TO THE  
DEVELOPMENTALLY DISABLED INC.**

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the establishment of a community residential facility operated by the Aid to the Developmentally Disabled, Inc.; and

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish the attached public notice, once in the Suffolk County Life Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy to be posted on the sign board of the Town Clerk; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Aid to the Developmentally Disabled Inc., 877 East Main Street, Riverhead, New York, 11901.

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on August 15 1994, at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the establishment of a community residential facility operated by the Aid to the Developmentally Disabled, Inc. for four (4) adults with developmental disabilities to be located at 40 Cross River Drive, Aquebogue, New York. Comments will be accepted from interested persons with regard to possible alternate sites for said proposed community residential facility.

DATED: Riverhead, New York  
August 2, 1994

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

**THE VOTE**

Gilliam  Yes  No    Creighton  Yes  No  
Stark  Yes  No    Prusinowski  Yes  No  
Janoski  Yes  No *Absent*

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

8/2/94

TOWN OF RIVERHEAD

Resolution # 556

AUTHORIZES APPRAISAL OF SWAN & THE PEACH RESTAURANT,  
WADING RIVER

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

**RESOLVED**, that the Town Attorney is hereby authorized to obtain a written appraisal for land of Augusto DeMichiel known as Swan & the Peach Restaurant further described as Suffok County Tax Map #0600-49-2-15; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Jack Hansen; Robert F. Kozakiewicz, Esq. and Augusto DeMichiel, 823 Jericho Turnpike, St. James, New York, 11780.

**THE VOTE**

Gilliam  Yes \_\_\_ No \_\_\_ Creighton  Yes \_\_\_ No \_\_\_  
Stark  Yes \_\_\_ No \_\_\_ Prusinowski  Yes \_\_\_ No \_\_\_  
Janoski \_\_\_ Yes \_\_\_ No *Absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

## RESOLUTION # 557

COUNCILWOMAN GILLIAM INTRODUCED THE FOLLOWING RESOLUTION, WHICH WAS SECONDED BY COUNCILMAN **CREIGHTON**

RESCINDING THE MAY 10, 1993 MUNICIPAL CERTIFICATE OF NEED IN SUPPORT OF THE APPLICATION OF MILL POND COMMONS FOR FUNDING FROM THE NEW YORK STATE AFFORDABLE HOUSING CORPORATION FOR DEVELOPMENT OF AFFORDABLE HOUSING AT THE MILL POND COMMONS DEVELOPMENT.

WHEREAS, The Town Board of the Town of Riverhead, has the authority to determine the need for affordable housing within the Town of Riverhead; and

WHEREAS, concomitant with that determination, the Town Board can authorize the Supervisor to execute a Certificate of Need in support of federal funding of any project which the Board considers and supports; and

WHEREAS, with respect to the housing development at Mill Pond Commons, Elton Street, Riverhead, New York, there has been no presentation to the Board to consider designation of a portion of the units as affordable housing units ; and

Whereas, there has been no determination by the Town Board that there is a need for affordable housing within this project;

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby rescinds the Certificate of Need dated May 10, 1993; and

BE IT FURTHER RESOLVED THAT, the Riverhead Town Board requests that the New York State Affordable Housing Corporation deny the pending funding application of Mill Pond Commons with respect to the affordable housing component of that development; and

BE IT FURTHER RESOLVED THAT, the Town Clerk of the Town of Riverhead shall cause a certified copy of this Resolution to be submitted to Gary Gutterman, Director, New York State Affordable Housing Corp.; James Margo, Ex. Dir., Long Island Housing Partnership Corp.; Peter Danoski, Esq.; and Andrea Lohneis, Dir. of Community Development.

## THE VOTE

Gilliam  Yes \_\_\_ No \_\_\_ Creighton  Yes \_\_\_ No \_\_\_  
 Stark  Yes \_\_\_ No \_\_\_ Prusinowski  Yes \_\_\_ No \_\_\_  
 Janoski \_\_\_ Yes \_\_\_ No \_\_\_ *Absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD

RESOLUTION # 558

ADOPTED AUGUST \_\_\_\_\_

APPOINTS A 90 DAY TEMPORARY ACCOUNT CLERK TYPIST TO THE TOWN CLERK'S OFFICE

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

WHEREAS, a vacancy exists in the Riverhead Town Clerk's Office and,

WHEREAS, the Town Board of the Town of Riverhead finds it necessary for a clerical position to be filled immediately in the Office of the Town Clerk,

NOW, THEREFORE BE IT RESOLVED, that Donna Zaweski is hereby appointed as a 90 day temporary to the position of Account Clerk Typist in the Town Clerk's Office at an hourly rate of \$10.8690, effective August 8, 1994.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Donna Zaweski and the Accounting Dept.

THE VOTE

Gilliam  Yes \_\_\_ No \_\_\_ Creighton  Yes \_\_\_ No \_\_\_  
Stark  Yes \_\_\_ No \_\_\_ Prusinowski  Yes \_\_\_ No \_\_\_  
Janoski \_\_\_ Yes \_\_\_ No *Absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

8/2/94

TOWN OF RIVERHEAD

Resolution # 559

APPOINTS FILL-IN BEACH ATTENDANT TO THE RIVERHEAD

RECREATION DEPARTMENT

**COUNCILMAN STARK**

offered the following

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

RESOLVED, That Jeremy Gibbons is hereby appointed to serve as a Fill-In Beach Attendant effective August 2, 1994, to be paid biweekly at the rate of \$ 5.50 per hour and serve at the pleasure of the Town Board.

**THE VOTE**

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

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

AUGUST 2, 1994

TOWN OF RIVERHEAD

Resolution # 560

SCAVANGER WASTE DISTRICT  
BUDGET ADJUSTMENT

COUNCILMAN CREIGHTON OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY COUNCILWOMAN GILLIAM.

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

B.081890.542503

CHEMICALS

FROM:  
\$200.00

B.081890.542303

FIRST AID SUPPLIES

TO:  
\$200.00

**THE VOTE**

Gilliam  Yes  No    Creighton  Yes  No  
Stark  Yes  No    Prusinowski  Yes  No  
Janoski  Yes  No    *Absent*

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

AUGUST 2, 1994

TOWN OF RIVERHEAD

Resolution # 561

**BUDGET ADOPTION**  
**RT. 58 TANK REPAINTING**  
**IMPROVEMENT CAPITAL PROJECT**

**COUNCILMAN CREIGHTON**

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY **COUNCILWOMAN GILLIAM**:

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

406.099010.482200.30001	TRANSFER FROM WATER DISTRICT	<b>FROM:</b> <b>\$308,000.00</b>
406.083200.541000.30001	TANK REPAINTING	<b>TO:</b> <b>\$255,000.00</b>
406.083200.543501.30001	ENGINEERING	<b>\$ 41,000.00</b>
406.083200.543315.30001	LEGAL	<b>\$ 3,000.00</b>
406.083200.547900.30001	CONTINGENCY	<b>\$ 9,000.00</b>

**THE VOTE**

Gilliam  Yes \_\_\_ No \_\_\_ Creighton  Yes \_\_\_ No \_\_\_  
 Stark  Yes \_\_\_ No \_\_\_ Prusinowski  Yes \_\_\_ No \_\_\_  
 Janoski \_\_\_ Yes \_\_\_ No \_\_\_ *Absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

AUGUST 2, 1994

TOWN OF RIVERHEAD

Resolution # 562

HIGHWAY FUND  
BUDGET ADJUSTMENT

**COUNCILMAN CREIGHTON**

OFFERED THE FOLLOWING RESOLUTION WHICH

WAS SECONDED BY **COUNCILWOMAN GILLIAM**

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

111.000000.350599	APPROPRIATED FUND BALANCE	FROM: \$107,600.00
111.051400.541306	DRAINAGE	TO: \$ 7,600.00
111.051100.541301	BLACK-TOP	\$100,000.00

**THE VOTE**

Gilliam  Yes \_\_\_ No \_\_\_ Creighton  Yes \_\_\_ No \_\_\_  
 Stark  Yes \_\_\_ No \_\_\_ Prusinowski  Yes \_\_\_ No \_\_\_  
 Janoski \_\_\_ Yes \_\_\_ No *absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY DECLARED ADOPTED

AUGUST 2, 1994

## TOWN OF RIVERHEAD

Resolution # 563SEWER DISTRICT  
BUDGET ADJUSTMENTCOUNCILMAN CREIGHTON OFFERED THE FOLLOWING RESOLUTIONWHICH WAS SECONDED BY COUNCILWOMAN GILLIAM**BE IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:**

114.081300.000000

FROM:  
\$9,500.00114.081300.541100  
114.081300.541103  
114.081300.542506  
114.081300.546100BLDG. REPAIRS & MAINT.  
PUMP STATION MAINT.  
PLANT SUPPLIES  
TELEPHONE EXPENSESTO:  
\$3,000.00  
\$4,500.00  
\$1,000.00  
\$1,000.00

## THE VOTE

Gilliam  Yes \_\_\_ No \_\_\_ Creighton  Yes \_\_\_ No \_\_\_  
Stark  Yes \_\_\_ No \_\_\_ Prusinowski \_\_\_ Yes \_\_\_ No \_\_\_  
Janoski \_\_\_ Yes \_\_\_ No *Absent*THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

8/2/94

4719/0529

TOWN OF RIVERHEAD  
RESOLUTION #564

72113-3101P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on August 2, 1994, at 7:00 o'clock P.M., Prevailing Time.

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

**PRESENT:**

Deputy Supervisor James R. Stark  
Councilman Victor J. Prusinowski  
Councilman Frank W. Creighton  
Councilwoman Harriet A. Gilliam

**ABSENT:**

Supervisor Joseph F. Janoski

The following resolution was offered by Councilman Creighton who moved its adoption, seconded by Councilwoman Gilliam. to wit:

RESOLUTION DATED AUGUST 2, 1994.

A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY TO PAY COSTS OF THE CONSTRUCTION OF AN APPROXIMATELY 82,000 SQUARE FOOT AQUARIUM AND MARINE MAMMAL/SEA TURTLE RESCUE, REHABILITATION AND EDUCATION CENTER AND THE ACQUISITION OF LAND LOCATED ON EAST MAIN STREET, IN RIVERHEAD, NEW YORK, INCLUDING ORIGINAL FURNISHINGS, EQUIPMENT, MACHINERY, APPARATUS, APPURTENANCES AND INCIDENTAL IMPROVEMENTS AND EXPENSES IN CONNECTION THEREWITH AND CAPITALIZED INTEREST AND A DEBT SERVICE RESERVE FUND ON THE BONDS AND CERTAIN COSTS OF ISSUANCE THEREOF.

WHEREAS, the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York (the "Agency"), is considering the issuance of not exceeding \$58,000,000 bonds of the Agency (the "Bonds") to pay costs of the construction of an approximately 82,000 square foot aquarium and marine mammal/seal turtle rescue, rehabilitation and education center and the acquisition of land located on East Main Street, in Riverhead, New York, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith (the "Facility"), and capitalized interest and a debt service reserve fund on the Bonds and certain costs of issuance thereof, the Facility to be occupied by the Okeanos Ocean Research Foundation, Inc., a New York not-for-profit corporation ("Okeanos"), and to be acquired by Okeanos from the Agency after the Bonds have been paid pursuant to a sale agreement; and

WHEREAS, the Bonds would constitute "private activity" bonds within the meaning of Section 141 of the Internal Revenue Code of 1986 (the "Code") and "qualified Section 501(c)(3) Bonds" within the meaning of Section 145(a) of the Code due to the proposed use of the Facility by Okeanos; and

-2-

WHEREAS, Section 147(f) of the Code requires that bonds which are "private activity" bonds within the meaning of Section 141 of the Code be approved by the governmental unit on whose behalf the Agency is issuing such bonds after a public hearing following reasonable public notice, in order for interest on such bonds to be excludable from gross income for federal income tax purposes; and

WHEREAS, the Members of the Agency, at a meeting duly called, held and conducted on July 19, 1994, called a public hearing on the issuance of the Bonds, such public hearing being scheduled for 7:15 o'clock P.M. Prevailing Time, on August 2, 1994, at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York; and

WHEREAS, notice of said public hearing was duly given in accordance with legal requirements; and

WHEREAS, said public hearing was duly held and conducted at the time and place aforesaid, at which time all persons interested in the subject matter thereof were duly heard; and

WHEREAS, a majority of the Town Board of the Town of Riverhead, Suffolk County, New York (the "Town Board") attended such public hearing;

NOW, THEREFORE, based upon information provided to the Town Board with respect to the Facility, the Town Board does hereby determine as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Bonds to be issued by the Agency to pay costs of the Facility for exclusion from gross income for federal tax purposes,

-3-

as required pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance of the Bonds by the Agency is hereby approved.

Section 2. This resolution shall take effect immediately.



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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on August 2, 1994, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date given

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

Designated Location(s) of posted notice \_\_\_\_\_ Date of Posting \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on August \_\_\_\_\_, 1994.

Town Clerk

(CORPORATE SEAL)

THE VOTE

Gilliam  Yes \_\_\_ No \_\_\_ Creighton  Yes \_\_\_ No \_\_\_  
Stark  Yes \_\_\_ No \_\_\_ Prusinowski  Yes \_\_\_ No \_\_\_  
Janoski \_\_\_ Yes \_\_\_ No Absent

THE RESOLUTION WAS  WAS NOT \_\_\_  
UNANIMOUSLY DECLARED ADOPTED

8/2/94

47190962

TOWN OF RIVERHEAD  
RESOLUTION #565

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on August 2, 1994, at 7:00 o'clock P.M., Prevailing Time.

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

**PRESENT:**

Deputy Supervisor James R. Stark  
Councilman Victor J. Prusinowski  
Councilman Frank W. Creighton  
Councilwoman Harriet A. Gilliam

**ABSENT:**

Supervisor Joseph F. Janoski

The following resolution was offered by Councilwoman Gilliam who moved its adoption, seconded by Councilman Creighton, to wit:

RESOLUTION DATED AUGUST 2, 1994.

A RESOLUTION AUTHORIZING THE GUARANTEE BY THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, OF THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON CERTAIN INDEBTEDNESS OF THE TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY MATURING NOT LATER THAN DECEMBER 31, 2002 IN AN AMOUNT NOT TO EXCEED TEN MILLION DOLLARS.

WHEREAS, the Town of Riverhead Community Development Agency (the "Agency") proposes to issue its special obligation revenue bonds in an amount not exceeding \$58,000,000 (the "Bonds") to finance the cost of the construction of an approximately 82,000 square foot aquarium and marine mammal/sea turtle rescue, rehabilitation and education center and the acquisition of land located on East Main Street, in Riverhead, New York, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith (the "Facility"), as a "demonstration project" (as such term is used in Section 554 of the New York General Municipal Law), all as more fully described in, and in connection with, the East Main Street Urban Renewal Plan relating to the Central Business District Urban Renewal Area, adopted by the Town Board of the Town of Riverhead, Suffolk County, New York (the "Town") on October 19, 1993, and capitalized interest and a debt service reserve fund on the Bonds and certain costs of issuance thereof; and

WHEREAS, pursuant to subdivision 3 of Section 503-a of the General Municipal Law, for the purpose of aiding the Agency in the carrying out and effectuating any urban renewal project within the Town, the Town is authorized to guarantee the principal of and

interest on indebtedness contracted by the Agency; and

WHEREAS, the Town Board is desirous of authorizing the guarantee by the Town of ten million dollars of the principal of and interest on the Bonds maturing not later than December 31, 2002; NOW THEREFORE BE IT

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

Section 1. The guarantee by the Town of Riverhead, Suffolk County, New York, of ten million dollars (\$10,000,000) of the principal of and interest on the Bonds of the Agency originally scheduled, on the date of issuance of the Bonds, to become due and payable on the Bonds not later than December 31, 2002, such guarantee to be payable at such time or times, under such circumstances and in such manner as to be provided in a trust indenture entered into by and between the Agency and the trustee for the holders of the Bonds with respect to the Bonds, is hereby authorized. In the event of any acceleration of such originally scheduled due date of the Bonds by reason of mandatory or optional redemption or acceleration resulting from default or otherwise, or for any other reason, the payments guaranteed hereby shall be made only in such amounts and at such times as such payments of principal of and interest on the Bonds would have been due had there not been any such acceleration.

Section 2. The guarantee authorized in the foregoing section shall be evidenced by the execution and delivery by the Town Supervisor or Deputy Town Supervisor of a guarantee substantially

in the form annexed hereto, with only those insubstantial changes, consistent with the intent of this resolution, as said Town Supervisor or Deputy Town Supervisor and the Town Attorney may deem appropriate.

Section 4. The Town Supervisor or Deputy Town Supervisor is hereby authorized to enter into such agreement or agreements with the Agency obligating the Agency to repay to the Town all or any amounts which may be paid by the Town on account of its guarantee of the Agency's Bonds on such terms as he shall deem appropriate.

Section 5. This resolution is adopted subject to permissive referendum.

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

<u>Deputy Supervisor Stark</u>	VOTING	_____
<u>Councilman Prusinowski</u>	VOTING	_____
<u>Councilman Creighton</u>	VOTING	_____
<u>Councilwoman Gilliam</u>	VOTING	_____
_____	VOTING	_____

The resolution was thereupon declared duly adopted.

\* \* \* \* \*

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on the 2nd day of August, 1994, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date given

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

Designated Location(s)  
of posted notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this \_\_\_\_\_ day of August.

\_\_\_\_\_  
Town Clerk

47190962

GUARANTEE

GUARANTEE, dated as of \_\_\_\_\_, 1994, made pursuant to Section 503-a(3) of the New York General Municipal Law and a resolution of the Town Board of the Town of Riverhead, Suffolk County, New York, duly adopted pursuant thereto on August 2, 1994, by said Town, acting by and through its \_\_\_\_\_, as provided in said resolution, relating to \$\_\_\_\_\_ Town of Riverhead Community Development Agency, EAST MAIN STREET URBAN RENEWAL REVENUE BONDS, 1994 (Okeanos Aquarium of Long Island Facility), dated \_\_\_\_\_, 1994 (the "Bonds") of the Town of Riverhead Community Development Agency (the "Agency").

The Town of Riverhead, Suffolk County, New York (the "Town"), hereby irrevocably and unconditionally agrees to pay to the registered owners of the Bonds (the "Registered Owners") principal of and interest originally scheduled, on the date of issuance of the Bonds, to become due and payable on the Bonds not later than December 31, 2002 in a total amount not to exceed ten million dollars (\$10,000,000) by providing, or causing to be provided, any such payments to the Trustee (as defined below) in the manner described below. In the event of any acceleration of such originally scheduled due date of the Bonds by reason of mandatory or optional redemption or acceleration resulting from default or otherwise, or for any other reason, the payments guaranteed hereby

shall be made only in such amounts and at such times as such payments of principal of and interest on the Bonds would have been due and payable had there not been any such acceleration. In no event shall the total of all such payments made by the Town hereunder with respect to said principal and interest exceed the lesser of ten million dollars (\$10,000,000) or the actual amount originally scheduled on the date of issuance of the Bonds to become due and payable and which shall have become due for payment and payable on or before such date but shall be unpaid because of Nonpayment (as defined below).

"Nonpayment" means: (a) failure by the trustee for the owners of the Bonds (the "Trustee") pursuant to that certain Trust Indenture between the Agency and the Trustee dated as of \_\_\_\_ \_\_, 1994, relating to the Bonds (the "Indenture") to have on deposit in the Debt Service and Sinking Fund established under and pursuant to the Indenture (the "Debt Service Fund") after all other funds have been transferred and after all other guarantees have been enforced as provided in Section 4.04 of the Indenture, sufficient moneys for payment in full of the principal of or interest on the Bonds which is then due for payment ("Debt Service"), or (b) the avoidance and recovery of any payment of principal of or interest on the Bonds from the Trustee or the Registered Owners by a trustee in bankruptcy, debtor or debtor in possession, as the case may be, or any person or entity acting on their behalf, as a preferential transfer under Section 547 of title 11 of the United States Code or any successor federal bankruptcy law governing the avoidance of

preferential transfers, pursuant to a final court order, which is not or no longer subject to appeal or rehearing.

Except in the circumstances described below, payments under this Guarantee shall be made by the Town, in immediately available funds, to the Trustee, one Business Day (as defined below) following receipt by the Town from the Trustee of notice in the form, and given in the manner specified below (a "Notice of Nonpayment"). "Business Day" means any day other than a Saturday, Sunday or a day on which the offices of the Trustee or the Town are authorized by law to remain closed.

A Notice of Nonpayment:

(a) in the event of a failure by the Trustee to have on deposit in the Debt Service Fund moneys sufficient for the payment of Debt Service at least five Business Days prior to the date on which such Debt Service is payable

(i) shall be mailed by overnight mail or overnight courier not less than four Business Days prior to the Debt Service payment date to which it pertains, and

(ii) shall state that the Trustee does not have available in the Debt Service Fund and has not received from the Agency or any other source or party at least five Business Days prior to such Debt Service payment date, an amount or amounts sufficient for the payment on such date of Debt Service on the Bonds, or

(b) in the event that funds shall have been available to the Trustee for the payment of Debt Service on the Bonds on any Debt Service payment date, and either (x) the Trustee is precluded from making payment with such funds by actions of a trustee in bankruptcy, debtor or debtor in possession, as the case may be, or any person or entity acting on their behalf, pursuant to a final court order, which is not or no longer subject to appeal or rehearing or (y) there occurs an avoidance and recovery by any such trustee in bankruptcy, debtor or debtor in possession, as the case may be, or any person or entity acting on their behalf, pursuant to a final court order, which is not or no longer subject to appeal or rehearing of any payment of principal of or interest on the Bonds from the Trustee or the Registered Owners of the Bonds

- (i) shall be mailed by overnight mail or overnight courier as soon as practicable,
- (ii) shall state which of such contingencies shall have occurred, and
- (iii) shall be accompanied by a duplicate original or certified copy of the order or instrument received by the Trustee barring such payment or requiring such repayment and, in the case of such repayment, by evidence satisfactory to the Town that such repayment has been made.

A Notice of Nonpayment shall, in either event, be in writing, shall be executed by a duly authorized officer or employee of the Trustee, and shall set forth (i) the Debt Service payment date to

which such notice pertains, (ii) the aggregate amount of Debt Service to be paid on said date, (iii) the amount, if any, available in the Debt Service Fund or otherwise available to or received by the Trustee from the Agency or any other source with respect thereto or otherwise available therefor, and (iv) the amount to be paid by the Town hereunder (which amount, when added to the total of amounts theretofore drawn hereunder, if any, and not repaid to the Town, shall not exceed ten million dollars (\$10,000,000)).

A Notice of Nonpayment shall be deemed to be received by the Town upon delivery thereof to the Supervisor at the address set forth below if such delivery is made on a Business Day between the hours of 9:00 a.m. and 5:00 p.m.; if delivery is made at any other time, then receipt shall be deemed to occur on the Business Day next following such receipt between the hours of 9:00 a.m. and 5:00 p.m.

Notices of Nonpayment and any other communications with respect to this Guarantee shall be to the following address:

Town of Riverhead  
Town Hall  
200 Howell Avenue  
Riverhead, New York 11901

Attention: Supervisor

with a copy thereof to the Town's Financial Administrator, at the following address:

Town of Riverhead  
Town Hall  
200 Howell Avenue  
Riverhead, New York 11901

Attention: Financial Administrator

The Town shall not be responsible under this Guarantee for the payment on any Debt Service payment date of any amount exceeding the aggregate Debt Service due on the Bonds on such Debt Service payment date, and in no event shall the Town be responsible under this Guarantee for the payment of any amount which would cause the total amount drawn hereunder to exceed the limit hereinbefore provided.

IN WITNESS WHEREOF, the \_\_\_\_\_ of the Town has signed this Guarantee as of date first above written.

By \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

As specified in the resolution of the Town Board referred to in the text of the foregoing Guarantee, said Guarantee is approved as to form and substance:

\_\_\_\_\_  
Town Attorney

**THE VOTE**

Gilliam  Yes \_\_\_ No \_\_\_    Creighton  Yes \_\_\_ No \_\_\_  
Stark  Yes \_\_\_ No \_\_\_    Prusinowski  Yes \_\_\_ No \_\_\_  
Janoski \_\_\_ Yes \_\_\_ No *Absent*

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD

Resolution # 566

Adopted August 2, 1994

APPOINTS SUMMER INTERN TO THE ACCOUNTING DEPARTMENT

COUNCILWOMAN GILLIAM OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY COUNCILMAN CREIGHTON

WHEREAS, a position exists in the Accounting Department due to the early departure of Chris Baier; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby appoints Chanel Vestal to the position of Summer Intern effective August 8, 1994 at the hourly rate of \$7.80.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chanel Vestal, John Hansen and the Accounting Department.

THE VOTE

THE VOTE

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

THE RESOLUTION WAS ADOPTED ~~NOT~~ WAS NOT ~~ADOPTED~~

THEREUPON DULY DECLARED ADOPTED

AUGUST 2, 1994

TOWN OF RIVERHEAD

Resolution # 567

BUDGET ADOPTION  
WATER EXT #45  
CAPITAL PROJECT

**COUNCILMAN PRUSINOWSKI**

OFFERED THE FOLLOWING RESOLUTION

**COUNCILMAN STARK**

WHICH WAS SECONDED BY \_\_\_\_\_:

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

406.083200.494200.30045	SERIAL BOND PROCEEDS	FROM: \$2,070,000.00
406.083200.523002.30045	WATER MAIN CONSTRUCTION	TO: \$1,792,000.00
406.083200.543501.30045	ENGINEERING	\$ 226,000.00
406.083200.543315.30045	LEGAL	\$ 25,000.00
406.083200.547900.30045	CONTINGENCY	\$ 27,000.00

THE VOTE

Gilliam  Yes \_\_\_ No \_\_\_ Creighton  Yes \_\_\_ No \_\_\_  
 Stark  Yes \_\_\_ No \_\_\_ Prusinowski  Yes \_\_\_ No \_\_\_  
 Janoski \_\_\_ Yes \_\_\_ No *Absent*

THE RESOLUTION WAS  WAS NOT

DECLARED ADOPTED

AUGUST 2, 1994

TOWN OF RIVERHEAD

Resolution # 568

BUDGET ADOPTION  
WATER PLANT #13  
CAPITAL PROJECT

COUNCILMAN PRUSINOWSKI

OFFERED THE FOLLOWING RESOLUTION

COUNCILMAN STARK

WHICH WAS SECONDED BY \_\_\_\_\_:

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

406.083200.494200.30013	SERIAL BOND PROCEEDS	FROM: \$1,200,000.00
406.083200.523002.30045	WATER TANK & BOOSTER PUMPS	TO: \$1,050,000.00
406.083200.543501.30045	ENGINEERING	\$ 135,000.00
406.083200.543315.30045	LEGAL	\$ 7,500.00
406.083200.547900.30045	CONTINGENCY	\$ 7,500.00

THE VOTE

Gilman  Yes  No    Creighton  Yes  No  
 Stark  Yes  No    Prusinowski  Yes  No  
 Janoski  Yes  No *Absent*

RESOLUTION WAS  WAS NOT   
 BY DECLARED ADOPTED

AUGUST 2, 1994

TOWN OF RIVERHEAD

Resolution # 569

**BUDGET ADOPTION**  
**OLIVER STREET SEWER EXT.**  
**CAPITAL PROJECT**

**COUNCILMAN PRUSINOWSKI**

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY **COUNCILMAN STARK** :

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

406.097205.421050.70044	DEVELOPER FEES	FROM:	\$370,000.00
406.081300.523012.70044	CONSTRUCTION	TO:	\$310,000.00
406.081300.543504.70044	ENGINEERING		\$ 60,000.00

**THE VOTE**

Gilliam  Yes  No      Creighton  Yes  No  
 Stark  Yes  No      Prusinowski  Yes  No  
 Janoski  Yes  No *Absent*

THE RESOLUTION WAS  WAS NOT   
BY THE SUPERVISOR AND THE BOARD OF TOWN ENGINEERS IS HEREBY DECLARED ADOPTED

## TOWN OF RIVERHEAD

RESOLUTION # 570

ORDER AUTHORIZING THE INCREASE AND IMPROVEMENT TO THE RIVERHEAD WATER DISTRICT, CONSTRUCTION OF NEW PUBLIC WATER SUPPLY WELL NO. 7-3

ADOPTED August 2, 1994

**COUNCILMAN CREIGHTON**

offered the following resolution which was seconded by ~~COUNCILWOMAN GILLIAM~~

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly authorized H2M to prepare a map, plan and estimate of cost relating to the increase and improvement of the facilities of the Riverhead Water District of said Town, specifically the construction of a new public water supply well No. 7-3, and

WHEREAS, such overall plan encompasses the construction of a new well at Plant No. 7 where Well 7-1 was previously abandoned utilizing some of the equipment (i.e. controls) that are available from Well 7-1, and

WHEREAS, an Order Authorizing the Increase and Improvement to the Riverhead Water District was adopted by this Board on the 5th day of October, 1993, and

WHEREAS, on June 23, 1994, the Riverhead Water District received bids for three contracts for the construction of a new public supply Well No. 7-3, and

WHEREAS, copies of the bid tabulation sheets indicated and two out of the three contract prices were above the estimate and taking into consideration contingencies, legal, engineering and inspection, the total cost of this project is now estimated to be at \$618,000 rather than \$470,000, and

WHEREAS, by prior resolution above mentioned, this Town Board previously approved a total project cost of only \$470,000, and

WHEREAS, the maximum amount now proposed to be expended for said overall construction, including associated costs, is \$618,000 which shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District and shall be borne by the entire District to be paid from existing funds; and

WHEREAS, in accordance with Section 202-b of the Town Law, a public hearing was held on the 2nd day of August, 1994, and all

persons wishing to be heard were heard, and

WHEREAS, an Environmental Assessment Form has been prepared and filed with the Town Clerk,

NOW, THEREFORE, upon the proceedings, the map, plan and cost estimate and the public hearing, the Town Board of the Town of Riverhead, as governing body of the Riverhead Water District, hereby determines as follows:

RESOLVED, that the construction of a new well at Plant No. 7, to be known as Well 7-3, will not have a significant impact upon the environment, and it is further

RESOLVED, that the construction of a new well at Plant No. 7, to be known as Well 703, is in the best interest of the properties served by the Riverhead Water District, and it is further

RESOLVED, that the construction of a new well at Plant No. 7 at a total cost not to exceed \$618,000 is hereby approved, and it is further

RESOLVED, that a certified copy of this resolution be forwarded to Pierre Lundberg, Esq., Gary Pendzick, and H2M.

THE VOTE

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

THE RESOLUTION WAS  WAS NOT  
BY UPON DULY DECLARED ADOPTED

ABSTRACT #25-94 JULY 21, 1994 (TBM 8-03-94)  
 COUNCILPERSON PRUSINOWSKI offered the following resolution, which was  
 seconded by COUNCILPERSON GILLIAM. RESOLVED, that the SUPERVISOR  
 be and is hereby authorized to pay the following:

ACCOUNTS	TOTALS
GENERAL TOWN 001	\$487,606.39
PARKING METER 002	\$0.00
AMBULANCE FUND 003	\$0.00
POLICE ATHLETIC LEAGUE 004	\$1,666.63
TEEN CENTER 005	\$1,000.00
RECREATION PROGRAM 006	\$12,318.96
SENIOR NUTRITION SITE COUNCIL 007	\$0.00
D.A.R.E. PROGRAM FUND 008	\$253.39
CHILD CARE BUILDING FUND 009	\$0.00
HIGHWAY 111	\$68,532.99
WATER 112	\$44,868.30
REPAIR & MAINTENANCE 113	\$0.00
SEWER 114	\$22,678.54
REFUSE & GARBAGE COLLECTION 115	\$15,240.62
STREET LIGHTING 116	\$4,769.16
PUBLIC PARKING 117	\$2,463.64
BUSINESS IMPROVEMENTS DISTRICT 118	\$0.00
T.O.R. URBAN DEV CORP TRUST A/ 119	\$0.00
WORKER'S COMPENSATION FUND 173	\$113.69
HOSPITALIZATION SELF INSURANCE 174	\$0.00
RISK RETENTION FUND 175	\$3,948.96
UNEMPLOYMENT INSURANCE FUND 176	\$0.00
MAIN STREET REHAB PROGRAM 177	\$0.00
REVOLVING LOAN PROGRAM 178	\$2,364.34
RESIDENTIAL REHAB 179	\$1,350.00
DISCRETIONARY/SMALL CITIES 180	\$0.00
CDBG CONSORTIUM ACCOUNT 181	\$564.51
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	\$381,608.04
GENERAL FUND DEBT SERVICE 384	\$112,852.06
SCAVANGER WASTE DISTRICT DEBT 385	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$24,731.50
EIGHT HUNDRED SERIES 408	\$360.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00
CHIPS 451	\$0.00
YOUTH SERVICES 452	\$1,662.45
SENIORS HELPING SENIORS 453	\$1,639.59
EISEP 454	\$1,609.68
SCAVANGER WASTE CAP PROJECT 470	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00
MUNICIPAL GARAGE 626	\$7,693.75
TRUST & AGENCY 735	\$435,168.45
SPECIAL TRUST 736	\$0.00
JOINT SCAVENGER WASTE 918	\$18,718.18
PAYROLL CLEARING ACCOUNT 998	\$0.00
CENTRAL CLEARING ACCOUNT 999	\$0.00
*****GRAND TOTAL*****	\$1,655,783.82

FILED IN THE OFFICE  
 OF THE CLERK  
 JUL 22 3 14 PM '94  
 BARBARA SHATTAN  
 TOWN CLERK

**THE VOTE**

G I ✓ Yes \_\_\_ No \_\_\_ Creighton ✓ Yes \_\_\_ No \_\_\_  
 S I ✓ Yes \_\_\_ No \_\_\_ Prusinowski ✓ Yes \_\_\_ No \_\_\_  
 Janoski \_\_\_ Yes \_\_\_ No Absent

RESOLUTION WAS  WAS NOT   
 DEUPON DULY DECLARED ADOPTED

ABSTRACT #26-94 JULY 29, 1994 (TBM 8-03-94)  
 COUNCILPERSON PRUSINOWSKI offered the following resolution, which was  
 seconded by COUNCILPERSON GILLIAM. RESOLVED, that the SUPERVISOR  
 be and is hereby authorized to pay the following:

ACCOUNTS	TOTALS
GENERAL TOWN 001	\$50,630.98
PARKING METER 002	\$293.51
AMBULANCE FUND 003	\$0.00
POLICE ATHLETIC LEAGUE 004	\$0.00
TEEN CENTER 005	\$54.90
RECREATION PROGRAM 006	\$9,481.96
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	\$38,227.35
WATER 112	\$356,629.93
REPAIR & MAINTENANCE 113	\$0.00
SEWER 114	\$4,401.07
REFUSE & GARBAGE COLLECTION 115	\$17,629.78
STREET LIGHTING 116	\$27.50
PUBLIC PARKING 117	\$1,217.50
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	\$812.50
UNEMPLOYMENT INSURANCE FUND 176	\$0.00
MAIN STREET REHAB PROGRAM 177	\$0.00
REVOLVING LOAN PROGRAM 178	\$0.00
RESIDENTIAL REHAB 179	\$0.00
DISCRETIONARY/SMALL CITIES 180	\$0.00
CDRG CONSORTIUM ACCOUNT 181	\$0.00
URBAN DEVEL CORP WORKING 182	\$22,103.00
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
TOWN HALL CAPITAL PROJECTS 406	\$22,213.17
EIGHT HUNDRED SERIES 408	\$0.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00
CHIPS 451	\$0.00
YOUTH SERVICES 452	\$0.00
SENIORS HELPING SENIORS 453	\$0.00
EISEP 454	\$0.00
SCAVANGER WASTE CAP PROJECT 470	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00
MUNICIPAL GARAGE 626	\$453.92
TRUST & AGENCY 735	\$46,454.57
SPECIAL TRUST 736	\$0.00
JOINT SCAVENGER WASTE 918	\$4,737.07
PAYROLL CLEARING ACCOUNT 998	\$0.00
CENTRAL CLEARING ACCOUNT 999	\$0.00
*****GRAND TOTAL*****	\$575,368.71

THE NOTE

Gilliam  Yes  
 Stark  Yes

Prusinowski  Yes  
 [Name]  Yes  
 [Name]  No Absent

THE RESOLUTION WAS NOT ADOPTED

*Resolution was adopted*