

3/1/94

72113/0201

142

ORDER CALLING PUBLIC HEARING FOR INCREASE AND IMPROVEMENTS TO THE STREET LIGHTING DISTRICT 72113-3101P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at Town Hall, 200 Howell Avenue, in Riverhead, New York in said Town, on the 1st day of March, 1994, at 7:00 o'clock P.M., Prevailing Time.

COUNCILMAN PRUSINOWSKI offered the following resolution, which was

PRESENT: seconded by COUNCILMAN STARK :

Supervisor

JAMES R. STARK Councilman

VICTOR J. PRUSINOWSKI Councilman

FRANK CREIGHTON Councilman

HARRIET GILLIAM Councilman

In the Matter of the Increase and Improvement of Facilities of the Street Lighting District of the Town of Riverhead, Suffolk County, New York

ORDER CALLING PUBLIC HEARING

WHEREAS, the Town Board of the Town of Riverhead, Suffolk

County, New York, has duly caused to be prepared a plan and report including an estimate of cost relating to the increase and improvement of the Street Lighting District of said Town, consisting of the purchase of a cheery picker bucket truck, including incidental expenses in connection therewith, at a maximum estimated cost of \$100,000; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the Street Lighting District in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held at Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 5th day of April, 1994, at 7:10 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Street Lighting District of the Town of Riverhead, Suffolk County, New York in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in Suffolk County Life, the newspaper hereby designated as the official newspaper for this

purpose, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

Notice of Public Hearing
The Board of the Town of Riverhead, New York, in order to advise the public of the proposed increase and improvement of the Sewerage and Water Supply System of the Town of Riverhead, New York, and to advise the public of the proposed purchase of a sewer, sewer lines and water lines, including incidental expenses in connection therewith, at a certain estimated cost of \$100,000.00, a public hearing will be held at the Town Board Chamber, Riverhead, New York, on the 15th day of March, 1951, at 7:30 P.M. All persons interested in the subject matter thereof are invited to attend.

Dated: Riverhead, New York
March 1, 1951

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

Town Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 5th day of April, 1994, at 7:10 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain plan and report including an estimate of cost prepared in relation to the proposed increase and improvement of the facilities of the Street Lighting District of the Town of Riverhead, Suffolk County, New York, consisting of the purchase of a cheery picker bucket truck, including incidental expenses in connection therewith, at a maximum estimated cost of \$100,000.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
March 1, 1994

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

By BARBARA GRATTAN
Town Clerk

Section 4. This Order shall take effect immediately.

The Order was thereupon declared duly adopted.

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

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

The Order 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 order contained therein, held on March 1, 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 March ____, 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
THEREUPON DULY DECLARED ADOPTED

3/1/94

TOWN OF RIVERHEAD
RESOLUTION # 143
ADOPTED MARCH 1, 1994

AUTHORIZES TOWN CLERK TO PUBLISH AND POST
PUBLIC NOTICE

COUNCILMAN STARK

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish, by display ad, the attached public notice in the March 2, 1994, and March 9, 1994, issues of the **Suffolk County Life** and in the March 3, 1994, and March 10, 1994, issues of **The News-Review** and **The Traveler-Watchman**, and to post same on the signboard(s) at Town Hall.

THE VOTE

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

THE RESOLUTION WAS WAS NOT ___
THEREUPON BY ME DECLARED ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead will hold its next regularly scheduled meeting on the 15th day of March, 1994, at 2:00 P.M. at Town Hall, 200 Howell Avenue, Riverhead, New York.

DATED: Riverhead, New York
March 1, 1994.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE

G ^m							
St ^c	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 type="checkbox"/> Yes	<input type="checkbox"/> No	
				Janoski	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>Absent</i>

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

3/1/94

144 HIRES CPA FOR ANNUAL TOWN AUDIT

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

WHEREAS, it is deemed to be in the best interest of the Town of Riverhead that an independent audit be prepared by a certified public accountant, which audit shall be completed within 60 days of the close of the Town's fiscal year.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Supervisor be and is hereby authorized to negotiate and contract with MacAlbert Bank and Co., Certified Public Accountants, for the preparation of the Town of Riverhead's annual audit; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to MacAlbert Bank and Co., 603 Northville Turnpike, Riverhead, New York, 11901; and the Accounting 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

145 AUTHORIZES TOWN CLERK TO PUBLISH NOTICE OF PUBLICATION OF 1993 ANNUAL WATER SUPPLY STATEMENT

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

WHEREAS, the New York State Sanitary Code requires that the Notice of Publication be published seven days prior to the Supply Statement, and

WHEREAS, the Supply Statement must be published by March 31, 1994,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached Notice of Publication of 1993 Annual Water Supply Statement in the March 16, 1994, issue of the Suffolk Life Newspaper, and be it further

RESOLVED, that the Town Clerk be and is hereby further authorized to publish in the March 23, 1994, issue of the Suffolk Life Newspaper the Supply Statement to be provided by H2M, consulting engineers to the Riverhead Water District, and be it further

RESOLVED, that the Town Clerk shall obtain affidavits of publication for publication of both the Notice of Publication and Supply Statement, and upon receipt of both affidavits the Town Clerk shall file the originals with her office and forward copies of same to H2M, and be it further

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

NOTICE OF PUBLICATION
 OF THE
 1993 ANNUAL WATER SUPPLY STATEMENT
 RIVERHEAD WATER DISTRICT
 SUFFOLK COUNTY

Notice is hereby given that the Riverhead Water District will publicly publish an Annual Water Supply Statement for the year 1993 on Wednesday March 23, 1994 within the Legal Notice Section of this paper. The Statement has been prepared and will be published in conformance with Title III Sections 1150-1153 of The New York State Public Health Law.

TOWN OF RIVERHEAD TOWN BOARD

GOVERNING BODY OF THE
 RIVERHEAD WATER DISTRICT

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

3/1/94

146 AUTHORIZES PIERRE G. LUNDBERG, ESQ. TO REPRESENT THE RIVERHEAD WATER DISTRICT, THE RIVERHEAD SEWER DISTRICT AND THE RIVERHEAD-SOUTHAMPTON SCAVENGER WASTE DISTRICT

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

RESOLVED, that the Pierre G. Lundberb, Esq., be and is hereby authorized to continue in his representation of the Town of Riverhead Water District, Sewer District and the Riverhead-Southampton Scavenger Waste District in all matters concerning said districts; and

BE IT FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute a Retainer Agreement with Pierre G. Lundberg, Esq., which agreement shall set his hourly rate of compensation, which shall be consistent with the 1993 hourly rate, the services to be rendered and which agreement shall be filed with the Town Clerk and the Accounting Department; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Pierre G. Lundberg, Esq., Smith, Finkelstein, Lundberg, Isler & Yakaboski, 456 Griffing Avenue, P. O. Box 389, Riverhead, New York, 11901; the Assessors' Office; and the Accounting 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

3/1/94

147

AUTHORIZES FRANK YAKABOSKI TO CONTINUE REPRESENTING
THE TOWN OF RIVERHEAD REGARDING TAX CERTIORARI

COUNCILMAN STARK

offered the following resolution, which

was seconded by COUNCILMAN PRUSINOWSKI:

RESOLVED, that the Frank Yakaboski, Esq., be and is hereby authorized to continue in his representation of the Town of Riverhead with regard to the matter of tax certiorari; and

BE IT FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute a Retainer Agreement with Frank Yakaboski, Esq., which agreement shall set his hourly rate of compensation, which shall be consistent with the 1993 rate of compensation, the services to be rendered and which agreement shall be filed with the Town Clerk and the Accounting Department; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Frank Yakaboski, Esq., Smith, Finkelstein, Lundberg, Isler & Yakaboski, 456 Griffing Avenue, P. O. Box 389, Riverhead, New York, 11901; the Assessors' Office; and the Accounting Department.

THE VOTE

Gillam 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
NOTICE TO BIDDERS**

Separate sealed proposals will be received by the Town Clerk until 11:05 a.m. prevailing time on March 11, 1994, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will publicly be opened and read for:

Purchase of Grass Seed and Chemicals for the Maintenance of Town Facilities

A Proposal Form may be obtained and examined at the office of the Town Clerk at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, tel. (516) 727-3200.

The Town Board reserves the right to reject any and all bids and solicit for new bids and/or to waive any informalities in the Proposals and to accept or reject any and all Alternatives or Unit Prices if, in its opinion, the best interests of the Town will thereby be promoted.

No Bid shall be withdrawn pending the decision of the Town Board which shall be made within forty-five (45) days after the date of the bid opening.

DATED: Riverhead, New York
March 1, 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

3/1/94

149

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO
BIDDERS FOR FIVE (5) WEIL VERTICAL SUBMERSIBLE SUMP
PUMPS FOR USE BY THE RIVERHEAD SEWER DISTRICT

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

RESOLVED, that the Town Clerk be and is hereby authorized to
publish and post the attached notice to bidders for five (5) Weil
Vertical Submersible Sump Pumps for use by the Riverhead Sewer
District.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Separate sealed proposals will be received by the Town Clerk until 11:10 a.m. prevailing time on March 11, 1994, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will publicly be opened and read for:

Five (5) Weil Vertical Submersible Sump Pumps for use by the Riverhead Sewer District

A Proposal Form may be obtained and examined at the office of the Town Clerk at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, tel. (516) 727-3200.

The Town Board reserves the right to reject any and all bids and solicit for new bids and/or to waive any informalities in the Proposals and to accept or reject any and all Alternatives or Unit Prices if, in its opinion, the best interests of the Town will thereby be promoted.

No Bid shall be withdrawn pending the decision of the Town Board which shall be made within forty-five (45) days after the date of the bid opening.

DATED: Riverhead, New York
March 1, 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

3/1/94

TOWN OF RIVERHEAD
RESOLUTION # 150
ADOPTED MARCH 1, 1994

RELEASES PERFORMANCE BOND OF JAMES R. WOODHULL
FOR SITE PLAN IMPROVEMENTS

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

WHEREAS, the Town Board of the Town of Riverhead adopted Resolution #247 on April 21, 1992, which resolution required the applicant, James R. Woodhull, to post a performance bond or other security to guarantee the completion of the site improvements for property located at Dolores Avenue, Riverhead, New York, known and designated as SCTM #0600-102-3-17; and

WHEREAS, the applicant has posted cash security with the Town of Riverhead in the amount of \$2,900.00; and

WHEREAS, the site improvements have been completed pursuant to the site plan which was approved by the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the cash security in the amount of \$2,900.00 which was posted as the bond for the completion of site improvements at property owned by James R. Woodhull located at Dolores Avenue, Riverhead, New York, known and designated as SCTM #0600-102-3-17; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to James R. Woodhull, Shepard Drive, Southold, New York, 11971; the Building Department; the Planning Department; and the Accounting Department.

THE VOTE

Gilliam Yes ___ No ___ Creighton Yes ___ No ___
Stark Yes ___ No ___ Prusinowski Yes ___ No ___
Janoski ___ Yes ___ No ___ *Albert*

**THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED**

3/1/94

TOWN OF RIVERHEAD
RESOLUTION # 151
ADOPTED MARCH 1, 1994

RELEASES PERFORMANCE BOND OF WENCO FOOD
SYSTEMS CORP. FOR SITE PLAN IMPROVEMENTS

COUNCILMAN STARK

_____ offered the following resolution, which

was seconded by **COUNCILMAN PRUSINOWSKI** _____:

WHEREAS, the Town Board of the Town of Riverhead adopted Resolution #247 on April 21, 1992, which resolution required the applicant, Wenco Food Systems Corp., to post a performance bond or other security to guarantee the completion of the site improvements for property located on Old Country Road (C.R. 58), Riverhead, New York, known and designated as SCTM #0600-108-4-5.1; and

WHEREAS, the applicant has posted cash security with the Town of Riverhead in the amount of \$9,942.00; and

WHEREAS, the site improvements have been completed pursuant to the site plan which was approved by the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the cash security in the amount of \$9,942.00 which was posted as the bond for the completion of site improvements at property owned by Wenco Food Systems Corp. located at the South side of Old Country Road (C.R. 58), Riverhead, New York, known and designated as SCTM #0600-108-4-5.1; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., attorney for the applicant, P. O. Box 779, Riverhead, New York, 11901; the Building Department; the Planning Department; and the Accounting Department.

THE VOTE

Gilliam Yes ___ No ___ Creighton Yes ___ No ___
Stark Yes ___ No ___ Prusinowski Yes ___ No ___
Janoski ___ Yes ___ No ___ *Albert*

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

3/1/94

152

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS FOR A USED 100 KILOWATT DIESEL GENERATOR WITH INSTALLATION FOR USE BY THE RIVERHEAD HIGHWAY DEPARTMENT

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 notice to bidders for a used 100 Kilowatt Diesel Generator with installation for use by the Riverhead Highway Department.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Separate sealed proposals will be received by the Town Clerk until 11:15 a.m. prevailing time on March 11, 1994, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will publicly be opened and read for:

Used 100 Kilowatt Diesel Generator with installation for use by the Riverhead Highway Department

A Proposal Form may be obtained and examined at the office of the Town Clerk at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, tel. (516) 727-3200.

The Town Board reserves the right to reject any and all bids and solicit for new bids and/or to waive any informalities in the Proposals and to accept or reject any and all Alternatives or Unit Prices if, in its opinion, the best interests of the Town will thereby be promoted.

No Bid shall be withdrawn pending the decision of the Town Board which shall be made within forty-five (45) days after the date of the bid opening.

DATED: Riverhead, New York
March 1, 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

3/1/94

153

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS FOR AN ALTEC-ASPLUNDH MODEL #LR-355 BUCKET TRUCK FOR USE BY THE RIVERHEAD STREET LIGHTING DISTRICT

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders for an Altec-Asplundh Model #LR-355 Bucket Truck for use by the Riverhead Street Lighting District.

The Town Board reserves the right to reject any and all bids and solicit for new bids and/or to waive any irregularities in the proposals and to accept or reject any and all alternatives to Unit Prices if, in its opinion, the best interests of the Town will thereby be promoted.

All bids shall be withdrawn pending the decision of the Town Board which shall be made within forty-five (45) days after the date of the advertisement.

APPROVED: Riverhead, New York
MARCH 1, 1994

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

MARLENE CRITCHER, Town Clerk

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Separate sealed proposals will be received by the Town Clerk until 11:20 a.m. prevailing time on March 11, 1994, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will publicly be opened and read for:

**Altec-Asplundh Model #LR-355 Bucket Truck for use by the
Riverhead Street Lighting District**

A Proposal Form may be obtained and examined at the office of the Town Clerk at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, tel. (516) 727-3200.

The Town Board reserves the right to reject any and all bids and solicit for new bids and/or to waive any informalities in the Proposals and to accept or reject any and all Alternatives or Unit Prices if, in its opinion, the best interests of the Town will thereby be promoted.

No Bid shall be withdrawn pending the decision of the Town Board which shall be made within forty-five (45) days after the date of the bid opening.

DATED: Riverhead, New York
March 1, 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

154

DATE: MARCH 1, 1994

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

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

BUDGET ADJUSTMENT TOWN OF RIVERHEAD GENERAL FUND

FROM:

Table with 3 columns: Code, Description, Amount. Rows include SUPERVISOR, OFFICE SUPPLIES (\$385.00), BLDG. & GRDS., SUPPLIES (5,000.00), BLDG. & GRDS., REC. REP. & MAINT. (5,000.00), TRANS. ADMIN., BLDG. MAINT. (2,599.00), TRANSFER, DEBT SERVICE (8,000.00).

TO:

Table with 3 columns: Code, Description, Amount. Rows include SUPERVISOR, SECRETARY EQUIP. (\$385.00), BLDG. & GRDS., EQUIPMENT (18,000.00), TRANS. ADMIN., OFFICE EQUIP. (2,599.00).

THE VOTE

Gilliam [checked] Yes ___ No ___ Creighton [checked] Yes ___ No ___ Stark [checked] Yes ___ No ___ Prusinowski [checked] Yes ___ No ___ Janoski ___ Yes ___ No Absent

THE RESOLUTION WAS [checked] WAS NOT ___ THEREUPON DULY DECLARED ADOPTED

#155

DATE March 1, 1994

SET SALARIES OF GENERAL TOWN EMPLOYEE FOR THE YEAR 1994

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

RESOLVED, that the salary of the employee of the Town of Riverhead,
General Town for the year 1994, be and is hereby fixed as follows.

<u>EMPLOYEE</u>	<u>TITLE</u>	<u>ANNUAL SALARY</u>	<u>HOURLY RATE</u>
<u>TRANSPORTATION ADMINISTRATION</u>			
Timothy Benton	Deputy Super. of Highway	46,640.00	

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

3/1/94

156 ADOPTS AN AMENDMENT TO CHAPTER 108 ZONING. OF THE RIVERHEAD TOWN CODE

COUNCILMAN CREIGHTON

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

RESOLVED, that the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider the addition of a temporary business sign; and

WHEREAS, a public hearing was held on the 15th day of February, 1994, at 7:10 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT

RESOLVED, that the addition of a temporary business sign 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 to amend the Town Code Sections 108-3 and 108-56, once in the Suffolk Life Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the adopted amendments to be posted on the sign board of the Town in the Office of the Town Clerk, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department and the Building 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 February 15, 1994:

Sec. 108-3 Definitions.

TEMPORARY BUSINESS SIGN - A sign or advertising display constructed of cloth, canvas, fabric, plywood or other light material and designed or intended to be displayed for a short period of time.

Sec. 108-56 Signs.

C. (5) A temporary business sign may be permitted in any business or industrial use district with a permit from the Riverhead Town Board without referral to the Architectural Review Board if it meets the following conditions:

- (1) On premises.
- (2) No more than one hundred (100) square feet in total area.
- (3) Not exceeding fifteen (15) feet in vertical height from the mean land of the ground surrounding the sign. Said height may be varied by the Town Board in order to prevent an obstruction to visibility.
- (4) Said sign shall be for a set duration. In the event that the sign is not removed after the expiration of the permit, the Town Board shall be authorized to remove the sign at the owner's sole expense and which shall constitute a lien against the property.

Dated: Riverhead, New York
March 1, 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

3/1/94

157 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER THE SPECIAL PERMIT APPLICATION OF WILLIAM OSBORNE

COUNCILWOMAN GILLIAM offered the following resolution

which was seconded by COUNCILMAN CREIGHTON

WHEREAS, an application was submitted by William Osborne for the use of real property within the Industrial A Zoning Use District as a body and fender repair facility; such real property located at Mill Road and Pulaski Street, Riverhead, New York and, more particularly described as Suffolk County Tax Map No. 0600-119-1-12.1, and

WHEREAS, the Town Board has declared itself lead agency with regard to said application, and

WHEREAS, the Town Board, as lead agency, forwarded said application to the Riverhead Planning Board for its review and recommendation, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider the special permit application of William Osborne:

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of March, 1994 at 7:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons with regard to the application of William Osborne for the use of real property within the Industrial A Zoning Use District as a body and fender repair facility located at Mill Road and Pulaski Street, Riverhead, New York, said parcel being more particularly described as SCTM #0600-119-1-12.1.

DATED: Riverhead, New York
March 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

3/1/94

158 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER THE SPECIAL PERMIT APPLICATION OF VISIONE/NAPLES/VERCESI

COUNCILMAN PRUSINOWSKI offered the following resolution

which was seconded by COUNCILMAN STARK

WHEREAS, an application was submitted by Richard Visone, Anthony Naples and Ronald Vercesi for the use of real property within the Industrial A and Business CR Zoning Use Districts for a driving range, miniature golf course and accessory structures on a 44.6 acre parcel; such real property located at New York State Route 25, Calverton, New York and more particularly described as Suffolk County Tax Map No. 0600-99-2-13, and

WHEREAS, the Town Board has declared itself lead agency with regard to said application, and

WHEREAS, the Town Board, as lead agency, forwarded said application to the Riverhead Planning Board for its review and recommendation, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider the special permit application of Richard Visone, Anthony Naples and Ronald Vercesi:

TOWN OF RIVERHEAD PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of March, 1994 at 7:10 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons with regard to the application of Richard Visone, Anthony Naples and Ronald Vercesi for the use of real property within the Industrial A and Business CR Zoning Use Districts for a driving range, miniature golf course and accessory structures on a 44.6 acre parcel; such real property located at New York State Route 25, Calverton, New York and more particularly described as Suffolk County Tax Map No. 0600-99-2-13.

DATED: Riverhead, New York March 2, 1994

THE VOTE

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

BY ORDER OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

THE RESOLUTION WAS X WAS NOT THEREUPON DULY DECLARED ADOPTED

3/1/94

TOWN OF RIVERHEAD

PUBLIC NOTICE

FOR REQUEST FOR PROPOSALS

#159

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE FOR REQUEST FOR PROPOSALS (RIMLAND PROPERTY)

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 for requests for proposals for the development of property owned by the Town of Riverhead, commonly known as "The Rimland Building" in two consecutive issues of the Suffolk County Life (March 2 issue and March 9 issue) and five (5) consecutive issues of Newsday.

Date: Riverhead, New York
March 1, 1994

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA A. CHAPMAN, Town Clerk

TOWN OF RIVERHEAD
PUBLIC NOTICE
REQUEST FOR PROPOSALS

PLEASE TAKE NOTICE, that sealed proposals for the development of property owned by the Town of Riverhead located at 20-24 East Main Street, Riverhead, New York, commonly known as "The Rimland Building", SCTM #0600-128-6-50, will be received by the Town Clerk of the Town of Riverhead, at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 2:00 p.m. Tuesday, April 5, 1994.

PLEASE TAKE FURTHER NOTICE that Requests for Proposals may be obtained at the Town Clerk's Office after March 3, 1994.

In accordance with the Request for Proposal, the Town Board reserves the right to reject any and all proposals, to waive any informalities and to accept such alternative proposals which, in the opinion of the Town Board, will be in the best interests of the Town of Riverhead.

Dated: Riverhead, New York
March 1, 1994

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA A. 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

3/1/94

160 . AUTHORIZES THE SUPERVISOR TO EXECUTE A LEASE WITH PECONIC RIVER CRUISERS, INC.

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

WHEREAS, pursuant to Town Law, the time for Permissive Referendum has expired.

NOW THEREFORE BE IT RESOLVED, that the Supervisor be and is hereby authorized to enter into and execute a lease with Peconic River Cruisers, Inc., copy of lease herewith attached;

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this lease to Peconic River Cruisers, Inc. and to the Accounting Department.

THE VOTE

Gilliam	<input type="checkbox"/> Yes	<input checked="" 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 type="checkbox"/> No <i>Absent</i>

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

LEASE AGREEMENT
TOWN OF RIVERHEAD
to
PECONIC RIVER CRUISERS, INC.

I. PARTIES

LEASE AGREEMENT between the Town of Riverhead with their offices at Town Hall, 200 Howell Avenue, Riverhead, New York (hereinafter called the "Lessor") and Peconic River Cruisers, Inc., a domestic corporation with its principal New York office and place of business at Calverton, New York (hereinafter called the "Lessee").

2. EFFECTIVE DATE AND TERM AND RENTAL

This lease shall commence on March 1, 1994, and shall terminate March 1, 2004, a period of ten (10) years. The Lessee shall have the option to renew this lease for five (5) years. The Lessee shall pay a yearly rent which rent will be adjusted in accordance with the yearly consumer price index in effect on March 1st. In addition to the agreed upon amount of rent per year for each year of this possible 15 year term, the monthly rental shall be computed in accordance with the following formula: for the purpose of this paragraph, the base index shall be Table 1, Consumer Price Index for All Urban Consumers: U. S. City Average by Expenditure Category and Commodity and Service Group, 1967 equals 100, as published by the Bureau of Labor Statistics of the United States Department of Labor for the calendar month during which the commencement of the original term of this lease occurs. The price index shall be the said index for the first month of each

calendar during the term of the lease. In the event that the price shall exceed the base index, the tenant shall be required to pay an additional amount of rent computed by multiplying the monthly rent for the first month of each year of the term of the lease by the percentage by which the price index exceeds the base index. Said computation shall be made for each year of the term. If, at any appropriate time, the price index shall no longer be published by said Bureau, then any comparable index issued by said Bureau or similar agency of the United States shall be used for the foregoing provisions adjusted, however, in order to give the effect to the intent of the foregoing provisions which is to give the landlord a yearly rent having the purchasing power equal to the purchasing power of the same rent in the third year of this lease. The yearly base rent is \$3,840. Additional rent, calculated as follows, shall be paid upon presentation of invoice by Lessor, one-half on January 10th and May 31st.

Additional rent shall be calculated based upon the rate sheet effective for real property on March 1st within the Town of Riverhead for the following taxing and improvement districts, based upon an assessed valuation equivalent of \$125,000:

Riverhead Public Parking District No. 1

Riverhead Water District

Riverhead Sewer District

Riverhead Business Improvement District

3. DEFINITION

As used herein, the following words and phrases have the following meaning, unless the context clearly requires another

meaning:

"Demised Premises" means the premises leased to the Lessee by this agreement;

"Lease Term" means the term for which the Demised Premises are leased.

"Year" (of the Lease Term) means a year beginning on the first day of the Lease Term or an anniversary thereof.

4. LEASE OF PREMISES

The Lessor hereby demises and lets to the Lessee and the Lessee hires and takes from the Lessor the areas delineated and designated as "Demised Premises", on an "as is" basis, and more particularly bounded and described as follows:

Underwater property and use of 150 feet of dock space more particularly identified in the rendering attached as Exhibit A.

The overall site location is depicted on Exhibit C attached hereto, which exhibit was produced by the Office of Town Engineer. This exhibit shows the approximate location of the relocated dock as well as the areas leased under this lease and a previous lease between Lessor and the Lessee herein.

5. FACILITIES AND IMPROVEMENTS

(A) Not later than May 1, 1994, Lessor shall cause the floating dock to be removed from the area leased to tenant. Upon removal, Lessor shall requisition and Lessee shall pay the lump sum of up to Six Thousand Eight Hundred Fifty Dollars (\$6,850.00), the Riverhead Town Engineer's estimate.

(B) Other than utilities, the Lessee shall not extend or expand the dock, alter or modify the existing dock, alter or change

the bay bottom or cause same to occur or place any additional structure or attachment on or to the existing dock, alter or change the bay bottom or cause same to occur or place any additional structure or attachment on or to the existing dock, alter or change the bay bottom or cause the same to occur or place any additional structure or attachment on or to the existing dock and/or the bay bottom without the prior written consent of the Lessor. Actual plans for utilities and improvements including sewage must be approved prior to the commencement of construction by the Town of Riverhead Engineer. Lessee shall be responsible for repairs and maintenance of the dock and bulkhead which repairs are the result of ordinary wear and tear that occur in the normal course of business.

(C) During the Lease Term, the Lessee shall be solely responsible for the care and maintenance of the demised premises, including but not limited to, the existing bulkhead, the bay bottom and any structure or structures attached thereto or floating over the bay bottom and including normal wear and tear to the bulkhead. In no event shall the Lessor or the Town of Riverhead be required to perform any maintenance dredging or take any other action with respect to the bay bottom, including but not limited to, the removal of any structures and/or obstructions existing or hereinafter coming into existence. The Lessee shall maintain the vessel and landing vessel including any structure thereon or thereover, in a good and safe condition for the purposes for which this lease is intended.

(D) Lessee shall landscape the Town-owned land and shall make

any additional improvements (i.e., curbs) to prevent interruption of traffic flow on town-owned land abutting the leased premises in accordance with a landscape plan as shown on the diagram of demised premises attached hereto and made a part of this agreement.

(E) A curb cut and asphaltic pad for parking of two catering vehicles as shown on Exhibit A. The vehicles shall remain parked for the purpose of loading and unloading only. The vehicles shall not remain permanently parked on site.

6. USE OF THE DEMISED PREMISES

The Lessee shall not use or permit the use of the Demised Premises, the docks attached thereto or floating over the Demised Premises or the waters over the Demised Premises for any purpose other than a marina for a recreational vessel and landing vessel, including the right to sell promotional items from recreational vessel and landing vessel. There shall be no retail sales of food that is sold for the purpose of carrying same away from recreational vessel or landing vessel.

The Lessee shall be required to pay to the Sewer District a one-time connection fee of \$8,000 prior to hook-up to the Riverhead Sewer District and the Lessee will pay any adjustment to the connection fee pursuant to statute after one year based on actual usage or lessor may credit any adjustment against the following years actual usage. The Lessee's effluent from the holding tanks from the vessels shall be discharged directly to the Town of Riverhead's sewer line, and the Lessee will pay a quarterly invoice upon 30 day notification equal to the sewer rent, paid by in district properties and an amount equal to the capital contribution

to in-district users. The connection shall be designed by an engineer, licensed by the State of New York in accordance with applicable County and State regulations. Any permits shall be the Lessee's responsibility.

The Lessee shall be limited to the docking of the Peconic River Lady I and the Landing Vessel per existing lease dated March 3, 1993, and the Peconic River Lady II under the lease herein in the area identified in Exhibit A. There shall be no mooring of other boats of the Lessee of any nature or type.

Lessee shall be designated the use of at least 100 spaces based on the formula that the recreational vessel has an occupancy of 300 people, and, said formula may be adjusted accordingly. (See Exhibit C Parking Area) This designation may be changed by Town Board resolution in coordination with an adopted Town development plan for the Peconic River area.

The Lessee shall use the loading area identified in Exhibit A.

The Lessee further agrees that in addition to the consent required above, that it will not, other than as provided for in Exhibit A, construct or place any docks, piers, pilings or other structures of any nature without first obtaining the prior written consent of the Lessor except the Lessor agrees to allow for directional signs in the Parking District which shall be reviewed and approved by Riverhead Town Board. The granting or denying of this consent shall not be unreasonable withheld by the Lessor.

7. CANCELLATION

(A) Non-payment of rent.

(B) Whenever the Lessee shall default or permit anything to

be done contrary to any covenant or agreement on the part of the tenant herein contained, and the tenant shall fail to commence to remedy the same within thirty (30) days after the Lessor shall have given to the Lessee a written notice specifying the same, then, this lease and the term and estate hereby granted shall expire and terminate upon the day so specified, but the Lessee shall remain liable for damages as provided by law as set forth herein. In the event of termination as aforesaid, the Lessee shall have thirty (30) days after written notice of termination as aforesaid to the Lessee to remove any personal property and/or physical structures from and/or floating over the premises which are the subject of this lease.

(C) Notwithstanding the provisions contained above, in the event the Lessee shall file or there be filed against the Lessee a petition in bankruptcy or an arrangement, or the Lessee be adjudicated a bankrupt, or make an assignment for the benefit of creditors, or take advantage of any insolvency at, and/or violate or breach the terms and conditions of this lease as they apply to the prohibition against assignment or subletting of this lease, then in that event, if the Lessor so elects, at any time thereafter, Lessor may terminate this lease and the term thereof shall expire and come to an end on the date fixed in this lease for the expiration thereof.

(D) Any notice required by the provisions of this paragraph shall be sent by certified mail, return receipt requested, to the addresses of the Lessor and Lessee as indicated in this lease.

8. ASSIGNMENT AND SUBLETTING

The lessee shall not assign, sublet or otherwise transfer this Lease or the Demised Premises or any part thereof or any of the rights and privileges granted without the prior written approval of the Lessor.

9. UNAVOIDABLE DELAYS OR FAILURES

Neither the Lessor nor the Lessee shall be deemed to be in breach of this lease because of any delay in performance or failure to perform any of the obligations set forth herein, if such delay or failure is due to any Act of God or natural disaster.

10. NO PERSONAL LIABILITY

No member of the Town Board, including Supervisor, or the Trustees of the Freeholders and Commonalty of the Town of Riverhead or any officer, stockholder, director of the Lessee or employee of either party shall be held personally liable under this Lease.

11. UTILITY SERVICES, LIGHTS AND SIGNS

All utility service including electric, telephone, water sewer and light required for or in connection with the operation and maintenance of the Demised Premises and Dock shall be provided by the Lessee at its own expense. However, Lessor agrees to provide the same as it presently exists to the dock area identified in Exhibit A basic services of water and electric. Lessor is not being required to provide additional service other than that which presently exists in the areas within Exhibit A. All upgrading of these services are agreeable to Lessor however said upgrade shall be the sole expense of the Lessee. Any permits necessary from any state or county government agencies shall be the responsibility of

the lessee.

Exterior lights, illuminated signs or signs, shall be installed or maintained by the Lessee, and the Lessee must first obtain the prior approval and/or the prior issuance of a permit for said light and/or signs from any governmental and/or municipal entity, body or agency having jurisdiction. Any sign or light erected in violation of this paragraph may be removed upon the direction of the Lessor upon forty-eight hours (48) written notice to the Lessee and neither the Lessor, the Town of Riverhead, its agents, servants, employees, contractors or assigns shall be liable for such removal.

12. REFUSE

The Lessee agrees to dispose of all refuse and garbage at its own cost and expense in accordance with Chapter 103 of the Code of the Town of Riverhead and Lessee shall not permit the accumulation of waste or refuse matter at the site.

13. INSURANCE

The Lessee shall procure at its own cost and expense liability insurance as will protect the Lessee, the Lessor, the people of the Town of Riverhead, the Town of Riverhead and its officers and employees, from any claims for damages to property and for bodily and personal injuries, including death, which may arise from the operation of this Lease by Lessee. Policies or certificates of insurance shall be delivered to the Lessor with full premiums paid, before proceeding under this lease. Said certificates shall name the Lessor, Town of Riverhead, its officers and employees as additional insureds. Insurance required under this lease shall be

in the amount of \$1,000,000.00. This coverage shall be in addition to the already existing requirement of \$1,000,000.00 coverage under existing lease dated March 3, 1993.

This Lease shall be void and of no effect unless the Lessee shall secure compensation for the benefit of, and keep insured during the life of the lease, such employees as are required to be so insured by the provisions of Chapter 41 of the Laws of 1914 and acts amendatory thereof, known as the Worker's Compensation Law and Disability Insurance for the said employees.

In the event that insurance coverage and policies are not provided by the Lessee, or having been provided are cancelled or terminated without the simultaneous replacement by policies and coverage providing the required limits of insurance then, and in that event, the Lessor shall have the right to obtain the insurance coverage required by this lease, at the Lessee's expense. Said expense shall constitute additional rent, which shall be due and payable ten (10) days after bill is rendered to the Lessee.

14. NOT AN AGENT

Nothing herein contained shall create or be construed as creating a co-partnership between the Lessor and the Lessee or to constitute the Lessee as agent of the Lessor.

15. INVALIDITY OF PARTICULAR PROVISIONS

If any term or provision of this lease or the application thereof to be any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this lease or the application of such terms or provisions to persons or circumstances other than those as to which it is held invalid or unenforceable,

shall not be affected thereby and each term and provision of this lease shall be valid and be enforced to the fullest extent permitted by law. Neither the Lessor, the Town of Riverhead, its officers, agents, employees or servants shall be held liable or responsible in the event this lease or any portion thereof is so held to be invalid or unenforceable.

16. AGREEMENT NOT COLLATERAL

This Lessee agrees that this lease shall not be pledged, hypothecated or put up as security for a loan or for any reason whatsoever, except as collateral security for any bank or institutional financing. Said financing shall be limited to an organization or institution licensed by either the New York State Department of Bank or the New York State Department of Insurance.

17. LAWS AND ORDINANCES

The laws of New York State shall govern this lease and with the cooperation and assistance of the Town of Riverhead, the Lessee at its own cost and expense, shall comply with all federal, state, county, town and village laws, ordinances and regulations of a governmental nature affecting the operations or use or occupancy of the demised premises. It is mutually agreed between the Lessor and the Lessee that the respective parties hereto shall and hereby do waiver trial by jury in any action, proceeding or counterclaim brought by either of the parties against the other on any matters whatsoever arising out of or in any way connection with this lease, the Lessee's use or occupancy of the Demises Premises, and/or any claim of injury or damage.

NO WAIVER

No waiver by the Lessor at any time of any of the terms, conditions, covenants or agreements herein or any forfeiture, shall be deemed or taken as a waiver at any time thereafter of the same or any other term, condition, covenant or agreement herein contained, nor the structure and prompt performance thereof. No delay, failure or omission of the Lessor to exercise any right, privilege, power, option or remedy arising from any default shall be construed to constitute a relinquishment thereof or a waiver of or acquiescence in such default, and no notice shall be required to restore or revive any such right, privilege, power, option or remedy after a waiver of a default in one or more instances. No option, power, remedy or privilege of the Lessor shall be construed as being exhausted or discharged by the exercise thereof in one or more instances. Except as otherwise expressly provided herein, such rights, privileges, powers, options and remedies are cumulative, no one of them is exclusive of any other or of any remedy provided by law, and the exercise of any one shall not impair the right to exercise any other.

19. NOTICES

All notices for which provision is made in this lease shall be in writing to the respective parties at the addresses listed herein, signed by the party giving the notice and delivered by certified mail, return receipt requested, to the respective party or its representative, at the principal office of said party or the principal office of its representative.

20. CONTRACT NOT FOR BENEFIT OF THIRD PERSONS

The parties have entered into this Lease solely for their own benefit and not for the benefit of any third persons; and no person other than the parties hereto have the right to sue or claim any rights under this lease.

21. POSSESSION

So long as the Lessee complies with the terms of this lease and is not in breach or default with respect thereto, the Lessee shall be entitled to peaceful possession of the demised premises for the purposes expressed in this lease during the term of this lease. Except for the acts of the Lessor, the Town of Riverhead, its agents, servants and employees, the Lessor shall have no responsibility or liability to the Lessee, its successors or assigns, or any other party or entity as a result of Lessee's, its successor's or assigns' inability to continue the activities as authorized by this lease for any reason including but not limited to the interference with or limitation of same by any third party as a result of any claim or right or interest affecting the demised premises and/or the water over same.

22. UPLAND AND DOWNLAND PROPERTY

The Lessor corporation represents that it is the owner of certain upland property contiguous to the premises which are the subject to this lease in the Town of Riverhead, State of New York. The Lessee shall have the right of ingress and egress over the Lessor's upland and downland property to and from the demised premises. The Lessor represents and agrees that it shall not enter into any agreement, assignment, lease, sublease, contract or sale

or execute any deed of conveyance for the purpose of transferring title or possession of the upland and downland property and the subject premises which it owes, which would be inconsistent with the Lessee's right of ingress and egress as herein set forth.

23. PERMITS, LICENSES AND APPROVALS

Notwithstanding any provision heretofore contained in the event the Lessee has not on or before October 29, 1994, obtained any necessary permits, licenses approval from any State, Federal or local municipal agency, government or body which may be necessary for the Lessee to lawfully use the Demised Premises and vessels as anticipated by this lease, then and in that event the Lessee shall have the right to give to the Lessor written notice of its intention to terminate said lease. Said notice shall be delivered either personally or by certified mail to the Lessor on or before May 30, 1995. Upon receipt thereof this lease shall terminate and shall be of no further force and effect.

24. BONDING

Lessor has bonded the construction of certain bulkhead and adjacent improvements, including lighting and paving at the east end of the Peconic River Parking Lot. Additionally, the current Riverhead Building Supply site adjacent to the parking lot is the subject of an application for an Aquarium. Neither Lessor nor Lessee can be certain when the Town's improvements or the Aquarium will be completed.

Upon the completion of the bulkheading and the Aquarium or sooner, Lessor and Lessee may mutually agree to relocate and exchange the use of the area designated on Exhibit A for the area

designated as Exhibit B. Such election shall be in writing, filed with the Town Clerk. Upon such election, the reference to Exhibit A in the preceding paragraphs shall be deemed to be reference to Exhibit B.

25. ENTIRE AGREEMENT

The foregoing embodies the entire agreement of the parties with respect to the subject matter. It shall not be changed or modified except in writing, signed by both parties.

IN WITNESS WHEREOF, the parties have caused these presents to be signed by their duly authorized representatives and their seals to be affixed hereto this ___ day of _____, 1994.

THE TOWN OF RIVERHEAD

By: _____
Joseph F. Janoski, Supervisor

PECONIC RIVER CRUISERS, INC.

By: _____

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
RAJESH K. SETHI, TOWN CLERK

161 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD FOR MAINTENANCE MECHANIC II

COUNCILWOMAN GILLIAM offered the following resolution

which was seconded by COUNCILMAN CREIGHTON.

WHEREAS, a vacancy exists in the Buildings & Grounds Department due to the resignation of William Whidden.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following help wanted ad in the Suffolk County Life, the official newspaper of the Town of Riverhead designated for that purpose:

HELP WANTED

PLEASE TAKE NOTICE, THAT THE TOWN OF RIVERHEAD IS SEEKING QUALIFIED INDIVIDUALS TO SERVE IN THE POSITION OF MAINTENANCE MECHANIC II IN THE BUILDINGS & GROUNDS DEPARTMENT. INTERESTED INDIVIDUALS MUST SUBMIT AN APPLICATION TO THE ACCOUNTING DEPARTMENT, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901 BETWEEN THE HOURS OF 8:30 A.M. AND 4:30 P.M. NO APPLICATIONS FOR THIS POSITION WILL BE ACCEPTED AFTER MARCH 18, 1994. THE TOWN OF RIVERHEAD DOES NOT DISCRIMINATE ON THE BASIS OF AGE, RACE, COLOR, NATIONAL ORIGIN, SEX OR HANDICAPPED STATUS INT HE EMPLOYMENT OR PROVISION OF SERVICES.

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
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

TB - 3/1/94

TOWN OF RIVERHEAD

RESOLUTION # 162

AWARDS BID FOR LIQUID CALCIUM CHLORIDE

COUNCILMAN PRUSINOWSKI

COUNCILPERSON _____ OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON COUNCILMAN STARK

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS FOR THE PURCHASE OF LIQUID CALCIUM CHLORIDE FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 15TH OF FEBRUARY AT 11:10 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, ONE BID WAS RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR LIQUID CALCIUM CHLORIDE BE AND IS HEREBY AWARDED TO JAMES REED SALES, INC., UNION AVENUE, ATHENS, NEW YORK 12015

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

CBB

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 type="checkbox"/> No <i>Absent</i>

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

TB - 3/1/94

TOWN OF RIVERHEAD

RESOLUTION # 163

AWARDS BID FOR ACRYLIC WATER BASED TRAFFIC PAINT
COLD APPLICATION

COUNCILMAN PRUSINOWSKI

COUNCILPERSON _____ OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILPERSON COUNCILMAN STARK

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS
FOR THE PURCHASE OF ACRYLIC WATER BASED TRAFFIC PAINT - COLD
APPLICATION FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 15TH OF
FEBRUARY AT 11:15 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE,
RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO
BIDDERS, AND

WHEREAS, TWO BIDS WERE RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR ACRYLIC
WATER BASED TRAFFIC PAINT - COLD APPLICATION BE AND IS HEREBY
AWARDED TO CAPITOL HIGHWAY MATERIALS, P.O. BOX 216, RT. 6,
BALDWIN PLACE, NEW YORK 11505.

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

CBB

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

TB - 3/1/94

TOWN OF RIVERHEAD

RESOLUTION # 164

AWARDS BID FOR PRECAST CONCRETE DRAINAGE RINGS AND ASSOCIATED ITEMS

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

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS FOR THE PURCHASE OF PRECAST CONCRETE DRAINAGE RINGS AND ASSOCIATED ITEMS FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 15TH OF FEBRUARY AT 11:20 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, THREE BIDS WERE RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR ITEM #'S 4, 5 AND 7 THROUGH 11 BE AND IS HEREBY AWARDED TO COASTAL PIPE LINE PRODUCTS, P.O. BOX 575, CALVERTON, NEW YORK 11933,

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

CBB

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

TB - 3/1/94

TOWN OF RIVERHEAD

RESOLUTION # 165

AWARDS BID FOR FURNISHING HEAT FUSED PREFORMED PAVEMENT MARKINGS

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

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS FOR FURNISHING HEAT FUSED PREFORMED PAVEMENT MARKINGS FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 15TH OF FEBRUARY AT 11:25 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, TWO BIDS WERE RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR FURNISHING HEAT FUSED PREFORMED PAVEMENT MARKINGS BE AND IS HEREBY AWARDED TO AMERICAN REFLECTIVE PRODUCTS, SUITE 231, 420 ROUTE 206 NORTH, BEDMINSTER, NEW JERSEY 07921,

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

CBB

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

TB - 3/1/94

TOWN OF RIVERHEAD

RESOLUTION # 166

AWARDS BID FOR PRECAST CONCRETE DRAINAGE RINGS AND ASSOCIATED ITEMS

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

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS FOR THE PURCHASE OF PRECAST CONCRETE DRAINAGE RINGS AND ASSOCIATED ITEMS FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 15TH OF FEBRUARY AT 11:20 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, THREE BIDS WERE RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR ITEM #'S 1 THROUGH 3, 6, 8, 9, AND 12 THROUGH 14 BE AND IS HEREBY AWARDED TO SUFFOLK CEMENT PRECAST, INC., P.O. BOX 241, CALVERTON, NEW YORK 11933,

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

CBB

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

TB - 3/1/94

TOWN OF RIVERHEAD

RESOLUTION # 167

AWARDS BID FOR PRECAST CONCRETE DRAINAGE RINGS AND ASSOCIATED ITEMS

COUNCILMAN PRUSINOWSKI

COUNCILPERSON _____ OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON COUNCILMAN STARK

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS FOR THE PURCHASE OF PRECAST CONCRETE DRAINAGE RINGS AND ASSOCIATED ITEMS FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 15TH OF FEBRUARY AT 11:20 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, THREE BIDS WERE RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR ITEM # 15 BE AND IS HEREBY AWARDED TO SUFFOLK CEMENT PRODUCTS, INC., P.O. BOX 241, CALVERTON, NEW YORK 11933,

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

CBB

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

TB - 3/1/94

TOWN OF RIVERHEAD

RESOLUTION # 168

AWARDS BID ON TRAFFIC SIGNS AND RELATED ITEMS

COUNCILMAN PRUSINOWSKI

COUNCILPERSON _____ OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON COUNCILMAN STARK

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS ON TRAFFIC SIGNS AND RELATED ITEMS, FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, NIDS WERE RECEIVED AND READ ALOUD ON THE 15TH OF FEBRUARY AT 11:30 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK THE DATE TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, TWO BIDS WERE RECEIVED, AND

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

NOW, THEREFORE, BE IT

RESOLVED, THAT THE BID FOR ITEM #'S 1 THROUGH 47 OF THE TRAFFIC SIGN AND RELATED ITEMS BID BE AND IS HEREBY AWARDED TO CAPITOL HIGHWAY MATERIALS, P.O. BOX 216, ROUTE 16, BALDWIN PLACE, NEW YORK 10505,

BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO CAPITOL HIGHWAY MATERIALS AND THE RIVERHEAD HIGHWAY 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

3/1/94

169 AWARDS BID FOR TWO (2) 1994 PICKUP TRUCKS FOR THE USE BY THE TOWN OF RIVERHEAD

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for two (2) 1994 pickup trucks; and

WHEREAS, bids were received, opened and read aloud on the 1st day of March, 1994, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT RESOLVED, that the bid for two (2) 1994 pickup trucks be and is hereby awarded to Buzz Chew Chevrolet in the amount of Twenty Two Thousand Nine Hundred Sixty Five and 00/100 (\$22,965.00) Dollars each; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Buzz Chew Chevrolet, 109 Pantigo Road, East Hampton, New York, 11937, the Engineering Department and the Sanitation 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

3/1/94

170 REFERS CHANGE OF ZONE APPLICATION OF CHESTERFIELD
ENTERPRISES TO PLANNING BOARD

COUNCILMAN PRUSINOWSKI offered the following

resolution which was seconded by **COUNCILMAN STARK**

WHEREAS, the Riverhead Town Board is in receipt of a petition from Chesterfield Enterprises for an amendment to the Zoning Use District Map of the Town of Riverhead to provide for the Retirement Community Zoning Use District in conjunction with the existing Agriculture A Zoning Use District upon real property located on Horton Avenue, Riverhead: such real property more particularly described as Suffolk County Tax Map Parcel No. 0600-81-3-22.1, and

WHEREAS, by resolution No. 404 of 1993 this Town Board did determine the action to be Unlisted without a significant impact upon the environment and that an Environmental Impact Statement need not be prepared; such decision based upon the fact that the subject real property has received sufficient environmental review by this Town Board through a preceding Environmental Impact Statement prepared by the applicant, and

WHEREAS, the Town Board has reviewed the subject change of zone petition and has concluded the following:

- A. That there exists a need for the construction of housing affordable to senior citizens both with the Town of Riverhead and in the region;
- B. That the subject real property is in conformance with the criteria of the Retirement Community Zoning Use District with respect to the proximity of the site to community services, designated Hamlet services, and required infrastructure;
- C. The project site is located in an area which is characterized as medium density residential land use, and

WHEREAS, the Town Board is of the opinion that the proposed change of zone would have a insignificant impact upon the fiscal integrity of the Riverhead School District in relation to the initial petition made on this real property;, and

WHEREAS, the Riverhead Town Board desires the report and recommendation of the Riverhead Planning Board upon the merits of the petition, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk refer the change of zone petition of Chesterfield Enterprises to the Riverhead Planning Board for its report and recommendation, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be transmitted to the Planning Director and the Community Development Director.

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 type="checkbox"/> No <i>Absent</i>

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

172 AMENDS RESOLUTION #692 OF 1992 (BYZANTINE CATHOLIC CHURCH OF THE RESURRECTION)

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

WHEREAS, by resolution #692, dated December 1, 1992, the Town Board of the Town of Riverhead did approve the site plan application of the Byzantine Catholic Church of the Resurrection; and

WHEREAS, the applicant did request a reduction of the site plan review fee; and

WHEREAS, the Town Board has considered such request;

NOW, THEREFORE BE IT

RESOLVED, that a payment on lieu of the site plan review fee for the Byzantine Catholic Church of the Resurrection be and is hereby established as follows:

\$1,000.00 for the cemetery, payable now, and \$500.00 for the church, payable at a later date, for a total payment of \$1500.00; and be it further

RESOLVED, that \$1,000.00 has been received and deposited as per Receipt Number 28701 of the Office of the Supervisor of the Town of Riverhead; and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to forward a certified copy of this resolution Father Daniel Bitsko, as agent for the Byzantine Catholic Church of the Resurrection, Allen M. Smith, Esq., the Riverhead Planning Department, Building Department, and Office of the Town Attorney.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ Yes ___ No Absent

THE RESOLUTION WAS X WAS NOT
THEREUPON DULY DECLARED ADOPTED

3/1/94

173 ACCEPTS BOND OF VALMONT HOMES

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

WHEREAS, the Riverhead Planning Board, by resolution dated March 20, 1990, approved the condominium map entitled "Mill Pond Commons", subject to the posting of a bond in the amount of Forty Eight Thousand (\$48,000.00) Dollars, covering the costs of improvements as required by said resolution; and

WHEREAS, Utica Mutual Insurance Company Bond No. SU1714075 has been forwarded to the Office of the Town Attorney, who has reviewed same as to form to satisfy the bond requirement.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the resolution of the Planning Board, the Town Board of the Town of Riverhead does hereby accept the bond of Valmont Homes in the amount of Forty Eight Thousand (\$48,000.00) Dollars, which assures the completion of the improvements on the condominium map known as "Mill Pond Commons", which improvements have been directed by the Planning Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Valmont Homes, the Planning Board and the Building 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

DATE MARCH 1, 1994

NO. 174

APPOINTS MAINTENANCE MECHANIC II TO THE STREET LIGHTING DISTRICT.

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

WHEREAS, a position exists with the Town of Riverhead Street Lighting District in the title of Maintenance Mechanic II; and

WHEREAS, applicants were thereafter interviewed in accordance with the provisions of the law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby appoints Shawn McGay to the position of Maintenance Mechanic II with the Street Lighting District effective March 21, 1994 at the annual rate of compensation of \$23,970.88 as set forth in Group 7, Step P of the Operational and Technical Salary Schedule and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Shawn McGay, Kenneth Testa and the Accounting 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

175 RESOLUTION MEMORIALIZING LETTER OF SUPPORT OF RIVERHEAD SCHOOL DISTRICT PECONIC RIVER STUDY

COUNCILMAN STARK offered the following resolution which was seconded

by COUNCILMAN PRUSINOWSKI.

WHEREAS, the Riverhead Town Board recognizes the ecological value of the Peconic Estuary; and

WHEREAS, the protection of the natural environment associated with the estuary will result in benefits enjoyed by the residents of the Town with regard to both recreation and economic development; and

WHEREAS, the Town Board has been supportive of certain efforts designed to protect the integrity of the estuary, including the Peconic Estuary Study, the BT Camp Study and Management Plan, the protection of the Peconic River headwaters and Riverhead, coastal zone management planning and stormwater management planning; and

WHEREAS, an ongoing effort of scientific research, resource inventory, assessment and analysis of the estuary is necessary for a better understanding of the dynamics of the estuary and its ultimate protection for use by future generations.

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board considers the proposed environmental study as proposed by the Riverhead School District as an important effort in the furthering of knowledge of the Peconic Estuary; and

BE IT FURTHER RESOLVED, that the Town Board will commit its resources to the School District in support of the study; such support to include the sharing of the information and expertise of the Planning Department, the Conservation Advisory Council, the Bay Constable, as well as the other good offices of the Town of Riverhead; and

BE IT FURTHER RESOLVED, that this resolution shall serve as the unqualified support by the Riverhead Town Board of the Riverhead School District Environmental Study.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be transmitted to the Planning Director, the Chairman of the Conservation Advisory Committee, the Bay Constable and the Riverhead School District.

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
Stark Yes ___ No Prusinowski Yes ___ No
Janoski ___ Yes ___ No *Albert*

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

3/1/94

176

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO
BIDDERS FOR PLAYGROUND EQUIPMENT TO BE USED BY THE
RIVERHEAD RECREATION DEPARTMENT

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 notice to bidders for playground equipment to be used by the Riverhead Recreation Department.

DATED: Riverhead, New York
March 1, 1994.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA A. GRATTAN, Town Clerk

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Separate sealed proposals will be received by the Town Clerk until 11:00 a.m. prevailing time on March 18, 1994, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will publicly be opened and read for:

Playground Equipment for use by the Riverhead Recreation Department

Instruction to Bidders, Proposal Form, Contract Form, General Conditions, Supplemental General Conditions, Special Conditions, Plans and Specifications may be obtained and examined at the office of the Town Clerk at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, tel. (516) 727-3200.

The successful bidder shall be required to furnish a Performance and Payment Bond in the amount of One Hundred Percentum (100%) of the accepted bid guaranteeing the completion and the payment of all obligations arising thereunder in the form and subject to the conditions set forth in the "Instructions to Bidders".

The Town Board reserves the right to reject any and all bids and solicit for new bids and/or to waive any informalities in the Proposals and to accept or reject any and all Alternatives or Unit Prices if, in its opinion, the best interests of the Town will thereby be promoted.

No Bid shall be withdrawn pending the decision of the Town Board which shall be made within forty-five (45) days after the date of the bid opening.

DATED: Riverhead, New York
March 1, 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

ABSTRACT # 17-94 FEBRUARY 24, 1994 (TBM 3-1-94)
 COUNCILPERSON PRUSINOWSKI adopted the following resolution, which was
 seconded by COUNCILPERSON STARK. RESOLVED, that the SUPERVISOR
 be and is hereby authorized to pay the following:

*****ACCOUNTS*****		TOTALS*****
GENERAL TOWN	001	\$46,894.81
PARKING METER	002	\$0.00
AMBULANCE FUND	003	\$0.00
POLICE ATHLETIC LEAGUE	004	\$60.00
TEEN CENTER	005	\$259.05
RECREATION PROGRAM	006	\$1,505.00
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	\$13,414.57
WATER	112	\$2,182.13
REPAIR & MAINTENANCE	113	\$0.00
SEWER	114	\$814.93
REFUSE & GARBAGE COLLECTION	115	\$51,681.67
STREET LIGHTING	116	\$1,278.02
PUBLIC PARKING	117	\$2,612.24
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	\$30,938.28
RISK RETENTION FUND	175	\$0.00
UNEMPLOYMENT INSURANCE FUND	176	\$0.00
MAIN STREET REHAB PROGRAM	177	\$0.00
REVOLVING LOAN PROGRAM	178	\$0.00
RESIDENTIAL REHAB	179	\$76.38
DISCRETIONARY/SMALL CITIES	180	\$0.00
CDBG CONSORTIUM ACCOUNT	181	\$0.00
URBAN DEVEL CORP WORKING	182	\$0.00
RESTORE	184	\$0.00
PUBLIC PARKING DEBT	381	\$171,807.75
SEWER DISTRICT DEBT	382	\$0.00
WATER DEBT	383	\$718,736.57
GENERAL FUND DEBT SERVICE	384	\$554,066.72
SCAVANGER WASTE DISTRICT DEBT	385	\$46,021.46
TOWN HALL CAPITAL PROJECTS	406	\$5,435.13
EIGHT HUNDRED SERIES	408	\$384.46
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	\$3,568.80
MUNICIPAL GARAGE	626	\$1,098.30
TRUST & AGENCY	735	\$12,632.83
SPECIAL TRUST	736	\$0.00
JOINT SCAVENGER WASTE	918	\$1,994.78
PAYROLL CLEARING ACCOUNT	998	\$0.00
CENTRAL CLEARING ACCOUNT	999	\$0.00
*****GRAND TOTAL*****		\$1,667,463.88

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

ABSTRACT #7-94 FEBRUARY 17 1994 (TBM 3-1-94)
 COUNCILPERSON PRUSINOWSKI offered the following resolution, which was
 seconded by COUNCILPERSON STARK RESOLVED, that the TOWN CLERK
 be and is hereby authorized to pay the following:

ACCOUNTS	001	TOTALS
GENERAL TOWN	001	\$0.00
PARKING METER	002	\$0.00
AMBULANCE FUND	003	\$0.00
POLICE ATHLETIC LEAGUE	004	\$0.00
TEEN CENTER	005	\$247.04
RECREATION PROGRAM	006	\$22.00
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	\$128,451.90
WATER	112	\$37,357.19
REPAIR & MAINTENANCE	113	\$0.00
SEWER	114	\$21,810.81
REFUSE & GARBAGE COLLECTION	115	\$71,051.73
STREET LIGHTING	116	\$34,078.32
PUBLIC PARKING	117	\$2,019.49
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	\$1,311.79
UNEMPLOYMENT INSURANCE FUND	176	\$0.00
MAIN STREET REHAB PROGRAM	177	\$0.00
REVOLVING LOAN PROGRAM	178	\$2,273.39
RESIDENTIAL REHAB	179	\$564.51
DISCRETIONARY/SMALL CITIES	180	\$0.00
CDBG CONSORTIUM ACCOUNT	181	\$50,250.00
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
TOWN HALL CAPITAL PROJECTS	406	\$20,945.85
EIGHT HUNDRED SERIES	408	\$0.00
WATER IMPROVEMENT CAP. PROJECT	409	\$0.00
CHIPS	451	\$0.00
YOUTH SERVICES	452	\$1,823.05
SENIORS HELPING SENIORS	453	\$1,629.59
EISEP	454	\$1,556.43
SCAVANGER WASTE CAP PROJECT	470	\$0.00
MUNICIPAL FUEL FUND	625	\$0.00
MUNICIPAL GARAGE	626	\$5,547.38
TRUST & AGENCY	735	\$443,768.17
SPECIAL TRUST	736	\$0.00
JOINT SCAVENGER WASTE	918	\$20,177.09
PAYROLL CLEARING ACCOUNT	998	\$0.00
CENTRAL CLEARING ACCOUNT	999	\$0.00
*****GRAND TOTAL*****		\$1,293,402.34

FILED IN THE OFFICE OF THE TOWN CLERK
 FEB 18 1994

BARBARA G. PRUSINOWSKI
 TOWN CLERK

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED