

7-21-92

429 REVOKES AND CLARIFIES INTENT OF RESOLUTION #321 OF 1991 AUTHORIZING USE OF TOWN WATERS TO TRAIN COMPETITIVE WATER SKIERS

COUNCILPERSON Prusinowski (PRUSINOWSKI) offered the following resolution, which was seconded by COUNCILPERSON Stark (STARK) :

WHEREAS, on May 21, 1991, the Town Board adopted Resolution #321 permitting the Long Island Water ski Club to use Terry's Creek for aquatic events in 1991; and

WHEREAS, the Town Board held a public hearing on May 19, 1992, to reconsider Resolution #321; and

WHEREAS, pending a final determination, the Town Board adopted Resolution #367 on June 5, 1992, suspending Resolution #321 of 1991; and

WHEREAS, the Town Board never intended to authorize a continuous and permanent exemption from Section 106-9 of the Riverhead Town Code; and

WHEREAS, the Riverhead Town Code, at Section 106-9, requires the sponsor to make application for a regatta or aquatic event at least two weeks prior to such event; and

WHEREAS, no application has been filed with the Town Clerk's Office for any aquatic events in 1992; and

WHEREAS, Resolution #321 of 1991 does not constitute the granting of a permit nor was the resolution intended to grant the Long Island Water Ski Club any continued approval of the 1992 activities; and

WHEREAS, any continued water skiing in Terry's Creek beyond the 1991 season is in violation of Chapter 106 of the Code of the Town of Riverhead, which shall be strictly enforced; and

WHEREAS, the Town Board is in receipt of a letter from the New York State Department of Environmental Conservation dated May 27, 1992, which recommended reinstating prohibition of water skiing and related activities in Terry's Creek; and

WHEREAS, the Town Board has considered the efforts of both members of the Long Island Water Ski Team and local residents to come to an equitable agreement regarding the use of Terry's Creek for competitive water skiing training; and

WHEREAS, the Town Board has taken into consideration the public record during the public hearing proceedings on May 19, 1992.

NOW, THEREFORE, BE IT

RESOLVED, that based upon the above, the Town Board of the Town of Riverhead hereby revokes Resolution #321 adopted May 21, 1991; and be it further

RESOLVED, that all buoys and other markers laying out any type of ski course on Terry's Creek shall be removed immediately; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to William Power Maloney, Esq., attorney for the Long Island Water Ski Club, 108 East Main Street, P. O. Box 279, Riverhead, New York, 11901 and the Bay Constable.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

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7/21/92

430

AUTHORIZES THE SOLICITATION OF BIDS FOR POLICE COMMUNICATION EQUIPMENT

COUNCILPERSON Stark (STARK) offered the following RESOLUTION, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI).

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of POLICE COMMUNICATION EQUIPMENT for use by the TOWN OF RIVERHEAD POLICE DEPARTMENT, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids at 11:00 a.m. on August 5th, 1992, at Town Hall, 200 Howell Avenue, Riverhead, New York 11901: and to make a report of said bids to the Town Board at the next public meeting following the opening of the bids.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;;; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

7-21-92

431 APPROVES SPECIAL PERMIT FOR DELALIO SOD FARMS, INC.

COUNCILPERSON Creighton (CREIGHTON) offered the following resolution, which was seconded by COUNCILPERSON Gilliam (GILLIAM).

WHEREAS, by application dated April 24, 1992, DeLalio Sod Farms, Inc., did apply to this Town Board for a special permit a wholesale landscaping material storage and sales at premises located on a 52-acre parcel of real property in the Industrial "A" Zoning Use District located at Edwards Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-117-2-8.2, said application made pursuant to Section 108-45(B)(6) of the Code of the Town of Riverhead; and

WHEREAS, the Riverhead Planning Department has reviewed the subject petition, together with its attending Environmental assessment Form, and has recommended that the Town Board consider the action to be unlisted without a significant impact upon the environment and that an Environmental Impact Statement need not be prepared; and

WHEREAS, this matter was referred to the Planning Board for its review and recommendation; and

WHEREAS, by letter dated June 22, 1992, the Planning Board, at its meeting held on June 4, 1992 recommended that the special permit of DeLalio Sod Farms, Inc., be approved; and

WHEREAS, the matter has been referred to the Suffolk County Planning Commission for its report and recommendation; such Commission recommending the application to be a matter for local determination; and

WHEREAS, on the 16th day of June, 1992, this Town Board held a public hearing wherein all persons wishing to be heard were heard; and

WHEREAS, the Riverhead Town Board has carefully considered the SEQRA record created to date, the report of the Planning Department, the recommendation of the Suffolk County Planning Commission, the proceedings of the public hearing, as well as all relevant Town planning and environmental information.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the application of DeLalio Sod Farms, Inc., the Riverhead Town Board makes the following findings:

FIRST: That the plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof;

SECOND: That the access facilities are adequate for the estimated traffic from public streets and that vehicular entrances and exists are situated as not to interfere with the operation of existing intersections;

THIRD: That adequate provisions have been made for the collection and disposal of stormwater runoff in conformance with the Code of the Town of Riverhead;

FOURTH: That the use will not generate or create environmental pollution such as vibrations, noise, light, heat, odors or smoke to an extent where they are discernible on adjacent properties.

and be it further

RESOLVED, that based upon its aforementioned findings, the Town Board determines the following:

a. The use will not prevent or substantially impair either the reasonable and orderly use or development of other properties in the neighborhood;

b. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;

c. The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use;

d. Such use will be in harmony with and promote the general purposes and intent; and be it further

RESOLVED, that the Riverhead Town Board hereby declares itself to be the lead agency in this matter and determines the action to be unlisted without a significant impact upon the environment and that an Environmental Impact Statement need not be prepared; and be it further

RESOLVED, that the Planning Director be authorized to publish and post those notices of non-significance as required by Article 8 of the New York State Environmental Conservation Law; and be it further

RESOLVED, that pursuant to its environmental review, findings of fact and determinations, the Riverhead Town Board hereby approves the special permit application of DeLalio Sod Farms, Inc., for wholesale business within the Industrial "A" Zoning Use District; and be it further

RESOLVED, that the extent of such wholesale business use shall be limited to that area depicted upon the site plan attending the special permit application as drawn by Young & Young and dated March 25, 1992; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to DeLalio Sod Farms, Inc.,; the Riverhead Planning Department; and the Riverhead Building Department.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. **5 yes.**

The resolution was thereupon duly declared adopted.

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

WHEREAS, this Town Board has reviewed the site plan mentioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Leonard DeLalio, for a wholesale landscaping products center, located at the east side of Edwards Avenue, 2,300 feet north of the Long Neck Mill Road, Calverton, New York, dated March 25, 1992, as prepared by Young & Young, 490 Calverton Avenue, Riverhead, New York, 11901, be and is hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official actions of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and conditions of these approvals mentioned in this resolution, in a form attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the

APPROVES SITE PLAN OF DELALIO SOD FARMS, INC.

Councilperson Gilliam (GILLIAM) offered the following resolution, which was seconded by Councilperson Creighton (CREIGHTON)

WHEREAS, a site plan was submitted by Leonard DeLalio for a wholesale landscaping products center located at the east side of Edwards Avenue, 2,300 feet north of the Long Island Rail Road, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-117-2-8.2; and

WHEREAS, the Planning Department has reviewed the site plan dated March 25, 1992, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York, 11901, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, this Town Board has reviewed the site plan aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Leonard DeLalio, for a wholesale landscaping products center, located at the east side of Edwards Avenue, 2,300 feet north of the Long Island Rail Road, Calverton, New York, dated March 25, 1992, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York, 11901, be and is hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

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

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

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

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

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

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

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

8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "**No Parking, Handicap Only**", and the universal symbol affixed thereto. Further, by execution and filing of this document, DELALIO SOD FARMS, INC. hereby authorizes and consents to the Town of Riverhead to enter premises at the east side of Edwards Avenue, 2,300 feet north of the Long Island Rail Road, Calverton, New York, to enforce said handicapped parking regulations;

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

10. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in

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

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

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

13. That no materials shall be stored in excess of six (6) feet in height, and that all such materials shall be shielded from view from Edwards Avenue by planted buffers;

14. That white pine or Eastern red cedar, of a minimum height of four (4) feet shall be substituted for the black pine where proposed along the south side of the fence;

15. That the six (6) required parking spaces shall be permitted to be landbanked for a period of two (2) years from the date of this resolution, unless it is determined by this Board, upon written request of the owner of record of the subject premises, that said landbanking may be extended for an additional period of time; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Leonard DeLalio, Young & Young, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1992, made by LEONARD DELALIO OF DELALIO SOD FARMS, INC., residing at 652 Deer Park Avenue, Dix Hills, New York, 11746, Declarant.

W I T N E S S E T H:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

(MISNUMBERED PAGE)

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

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

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

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

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

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

9. Pursuant to Section 109-1331 of the Code of the Town of Riverhead, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the observance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

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

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

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

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

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

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

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

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

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

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

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

12. That no materials shall be stored in excess of six feet in height, and that all such materials shall be shielded from view from Edwards Avenue by planted buffers.

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

BY LEONARD DELALIO _____
DELALIO SOD FARMS, INC.

STATE OF NEW YORK
COUNTY OF SUFFOLK

) ss.:

On the _____ day of _____, 1992, before me personally came LEONARD DELALIO, to me known and known to be the individual who executed the foregoing instrument; that he is the owner of certain real property located at the east side of Edwards Avenue, 2,300 feet north of the Long Island Rail Road, Calverton, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

WHEREAS, by letter dated May 7, 1991, the applicant requested that the special use of John Carson be approved; and

WHEREAS, on the 16th of June, 1992, this Town Board held a public hearing wherein all persons wishing to be heard were given an opportunity to be heard and

WHEREAS, by letter dated July 9, 1992, the Suffolk County Department of Planning has determined that the application is not within the jurisdiction of the Suffolk County Planning Commission; and

WHEREAS, the Riverhead Town Board has carefully considered the SEQRA record created to date, the report of the Planning Department, the report of the Riverhead Planning Board, the recommendation of the Suffolk County Planning Commission, the record of the public hearing, as well as all relevant planning and environmental information.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the application of John Carson, the Town Board makes the following findings:

FIRST: That the plot area is sufficient, appropriate and adequate for the use and reasonably anticipated operation and expansion thereof;

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433 APPROVES SPECIAL PERMIT FOR JOHN CARSON

COUNCILPERSON Stark (STARK) offered the following resolution, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI)

WHEREAS, by application dated April 17, 1992, John Carson did apply to this Town Board for a special permit to construct a commercial fishery manufacturing complex in the Industrial "B" Zoning Use District at premises located at the corner of Columbus Avenue and Parkway Street, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-125-1-10, said application made pursuant to Section 108-3 of the Code of the Town of Riverhead; and

WHEREAS, the Riverhead Town Board has determined the action to be Unlisted without a significant impact upon the environment and that an Environmental Impact Statement need not be prepared; and

WHEREAS, this matter was referred to the Planning Board for its review and recommendation; and

WHEREAS, by letter dated May 29, 1992, the Planning Board, at its meeting on May 7, 1992, recommended that the special permit of John Carson be approved; and

WHEREAS, on the 16th of June, 1992, this Town Board held a public hearing wherein all persons wishing to be heard were heard; and

WHEREAS, by letter dated July 9, 1992, the Suffolk County Department of Planning has determined that the application is not within the jurisdiction of the Suffolk County Planning Commission; and

WHEREAS, the Riverhead Town Board has carefully considered the SEQRA record created to date, the report of the Planning Department, the report of the Riverhead Planning Board, the recommendation of the Suffolk County Planning Commission, the record of the public hearing, as well as all relevant Town planning and environmental information.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the application of John Carson, the Town Board makes the following findings:

FIRST: That the plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof;

SECOND: That the characteristics of the proposed use are not such that its proposed location would be unsuitably near an existing recreational area;

THIRD: That the access facilities are adequate for the estimated traffic from public streets and that vehicular entrances and exits are situated as not to interfere with the operations of existing intersections;

FOURTH: That adequate buffer yards and landscaping has been provided where necessary to protect neighboring properties;

FIFTH: That adequate provisions have been made for the collection and disposal of stormwater runoff in conformance with the Code of the Town of Riverhead;

SIXTH: That provisions and declarations have been made for the adequate disposal and mitigation of sanitary waste and industrial waste;

SEVENTH: That municipal services and facilities are of sufficient capacity to provide for the needs of the proposed use;

EIGHTH: That the use will not generate or create environmental pollution such as vibration, noise, light, heat odors or smoke to an extent where they are discernible on adjacent properties.

and be it further

RESOLVED, that based upon its findings and upon mitigation measured to be employed by this special permit, the Riverhead Town Board determines the following:

- i. The use will not prevent or substantially impair either the reasonable and orderly use or development of other properties in the neighborhood;
- ii. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;
- iii. The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use;
- iv. Such use will be in harmony with and promote the general purposes and intent of the Riverhead Zoning Ordinance.

and be it further

RESOLVED, that based upon the above determinations and findings and the proceedings held pursuant to law, the Town Board of the Town of Riverhead hereby approves the special permit application of John Carson subject to the following provisions:

- i. That all manufacturing operations occur within the proposed building due to contiguous residential use;
- ii. That erosion control measures be employed during construction to protect the naturally vegetated buffer area along the easterly property line;
- iii. That during site plan review, the Town Board analyze the efficiency of the proposed method of stormwater recharge and compare it to the alternative of a subsurface drainage design;
- iv. That an eight-foot high mesh fence with stockade attached, in lieu of the six-foot high fence, be installed;
- v. That the buffer/planting strip be increased from twenty (20) feet in width to thirty (30) feet in width along the division line between the residential property line and the developed portion of the proposed facility.

and be it further

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

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

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

APPROVES SITE PLAN OF JOHN CARSON

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Councilperson Prusinowski (PRUSINOWSKI) offered the following resolution, which was seconded by Councilperson Stark (STARK) :

WHEREAS, a site plan and elevations were submitted by John Carson for the construction of a 9,800 square foot building for industrial use, and attendant site improvements located at the northeast corner of Columbus Avenue and Parkway Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-125-1-10; and

WHEREAS, the Planning Department has reviewed the site plan dated February 25, 1992, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York, 11901, and elevations dated May 12, 1992, as prepared by Bass & D'Alessandro Construction Corporation, 123 Stewart Avenue, Hicksville, New York, 11801, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by John Carson, for the construction of a 9,800 square foot building for industrial use, and attendant site improvements, located at the northeast corner of Columbus Avenue and Parkway Street, Riverhead, New York, site plan dated February 25, 1992, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York, 11901, and elevations dated May 12, 1992, as prepared by Bass & D'Alessandro Construction Corporation, 123 Stewart Avenue, Hicksville, New York, 11801, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

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

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

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

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

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

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

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

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

10. That all utilities shall be constructed underground;

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

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

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

14. That the planted buffer along the easterly property line shall be increased to a width of thirty (30) feet and a length as indicated on the site plan approved herein and initialled by a majority of the Town Board, and that said buffer shall be supplemented with white pines (*Pinus Stroba*) of 8-10 feet in height, within the middle of the buffer area, as indicated;

15. That a catch basin shall be added at each side of the entrance driveway, and connected to the ponding area or to leaching rings, to the satisfaction of the Town Engineer, as indicated on the site plan approved herein and initialled by a majority of the Town Board;

16. That the ponding area shall be maintained on a regular basis to provide an acceptable percolation surface at the bottom of said area to preclude the accumulation of silt vegetation or the infestation by insects or other nuisances; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John Carson, Young & Young, Bass & D'Alessandro Construction Corporation, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1992, made by JOHN CARSON, residing at 19 Bellows Terrace Road, Hampton Bays, New York, 11946, Declarant.

W I T N E S S E T H:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

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

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

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

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

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

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

9. That all utilities shall be constructed underground;

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

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

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

13. That the ponding area shall be maintained on a regular basis to provide an acceptable percolation surface at the bottom of said area to preclude the accumulation of silt, vegetation or the infestation by insects or other nuisances.

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

JOHN CARSON

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

On the _____ day of _____, 1992, before me personally came JOHN CARSON, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the northeast corner of Columbus Avenue and Parkway Street, Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

435 APPOINTS SPECIAL COUNSEL TO NEGOTIATE LABOR (EMPLOYEE) CONTRACTS FOR THE TOWN OF RIVERHEAD

COUNCILPERSON Creighton (CREIGHTON) offered the following resolution, which was seconded by COUNCILPERSON Gilliam (GILLIAM)

RESOLVED, that Rains & Pogrebin, P.C., be and is hereby retained as special counsel to negotiate labor contracts for the Town of Riverhead at the rate described in a retainer letter dated June 25, 1992, and filed with the Town Clerk; and be it further

RESOLVED, that the Supervisor be and is hereby authorized to execute the letter retainer agreement dated June 25, 1992; and be it further

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

The Vote: Gilliam, no; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 4 yes, 1 no.

The resolution was thereupon duly declared adopted.

DATE: JULY 21, 1992

436

COUNCILPERSON Gilliam (GILLIAM) offered the following resolution which was seconded by COUNCILPERSON Creighton (CREIGHTON)

RESOLVED, that the Supervisor be and hereby is, authorized to establish the following Budget Adoption.

BUDGET ADOPTION

GENERAL FUND

FROM:

001.019900.547900	CONTINGENCY ACCT.	\$22,000.00
001.092801.480000	INTERFUND TRANSFER	20,000.00

TO:

001.013100.543400	FINANCE, EDUCATION	20,000.00
001.031200.543210	POLICE, DOCTOR FEES	13,000.00
001.045400.547800	AMBULANCE, VACCINATIONS	9,000.00

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

No buildings shall be erected on any lot or land area utilized in accordance with the zoning schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

Ward of Hedden River.

This resolution is intended to provide minimum standards for granting a building permit for lots made nonconforming or contained in a zone of nonconformity within the Ward of Hedden River which were prior to the adoption of Resolution 211, dated March 21, 1989, were in the condition of zoning use classes and uses which were separately zoned as of the effective date of this subsection.

Director's Note: See the zoning schedule at the end of this chapter.

7-21-92

437

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AMENDMENT TO CHAPTER 108 "ZONING" OF THE RIVERHEAD TOWN CODE AT SECTION 108-8 "GENERAL LOT, YARD AND HEIGHT REQUIREMENTS"

COUNCILPERSON Stark (STARK) offered the following resolution, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI)

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Chapter 108 "Zoning" of the Riverhead Town Code at Section 108-8 "General lot, yard and height requirements":

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 4th day of August, 1992, at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Chapter 108 "Zoning" of the Riverhead Town Code at Section 108-8 "General lot, yard and height requirements" as follows:

Chapter 108
ARTICLE III
Residence A District

108-8. General lot, yard, and height requirements and nonconforming lots.

A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule² incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

B. Hamlet of Wading River.

1. This subsection is intended to provide minimum standards for granting a building permit for lots made nonconforming or continued in a state of nonconformance within the Hamlet of Wading River which lots, prior to the adoption of Resolution #243, dated March 21, 1989, were in the Residence B Zoning Use District and that were singly and separately owned as of the effective date of this subsection.

²-----
Editor's Note: See the Zoning Schedule at the end of this chapter.

2. A nonconforming lot separately owned and not adjoining any lot or land in the same ownership at the effective date of this subsection and not adjoining any lot or land in the same ownership at any time subsequent to such day may be used, or a building or structure may be erected on such lot for use, in accordance with all the other applicable provisions of this chapter, provided that proof of such separate ownership is submitted in the form of an abstract of title showing the changes of title to said lot, which abstract shall be in the usual form, shall be certified by an attorney or a company regularly doing such work in Suffolk County or by a corporation duly licensed to examine and ensure title to real property in Suffolk County and shall contain a certification that no contiguous property was owned by an owner of the property involved since the date of any previously applicable Zoning Law. Such lot shall conform to the Zoning Schedule requirements for the Residence B Zoning Use District.

Dated: Riverhead, New York
July 21, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

~~overstrike~~ indicates deletion(s)
**underline indicates addition(s)

The Vote: Gilliam, yes, Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

7-21-92

438

AUTHORIZES THE APPOINTMENT OF JOHN J. KALBA, SR., TO
THE POSITION OF HEAVY EQUIPMENT OPERATOR

COUNCILPERSON (PRUSINOWSKI) offered the following resolution, which was seconded by COUNCILPERSON Stark (STARK):

WHEREAS, pursuant to a certain stipulation and agreement, John J. Kalba, Sr., was appointed to the position of Laborer with the Riverhead Highway Department subject to the terms and conditions set forth in said stipulation and agreement; and

WHEREAS, the terms and conditions of the stipulation and agreement have been met.

NOW, THEREFORE, BE IT

RESOLVED, that John J. Kalba, Sr., be and is hereby appointed to the position of Heavy Equipment Operator with the Riverhead Highway Department at Group 7 Step 6 at an annual salary of \$24,812.98; and be it further

RESOLVED, that said appointment shall take effect June 20, 1992; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to John J. Kalba, Sr., the Supervisor's Office and the Accounting Department.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

Resolution was thereupon duly declared adopted.

7-21-92

#439
EXTENDS PERFORMANCE BOND FOR ROAD AND DRAINAGE
 IMPROVEMENTS FOR SUBDIVISION KNOWN AS ROANOKE PINES
 (VICTOR BALABANOW)

COUNCILPERSON Creighton (CREIGHTON) offered the following resolution, which was seconded by COUNCILPERSON Gilliam (GILLIAM):

WHEREAS, V.P. Cor, Ltd., pursuant to a resolution of the Riverhead Planning Board approving the subdivision known as "Roanoke Pines", was required to provide a performance bond for improvements for road and drainage facilities in said subdivision; and

WHEREAS, said performance bond was received and accepted by the Riverhead Town Board; and

WHEREAS, by Resolution #358 adopted June 4, 1991, the Town Board extended the performance bond "for a period not to exceed one (1) year" and reduced said bond to \$85,000.00; and

WHEREAS, said extension has now expired; and

WHEREAS, Victor Balabanow has requested an additional one (1) year extension to said bond; and

WHEREAS, it is the desire of the Town Board of the Town of Riverhead to extend the performance bond.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby extends the performance bond of V.P. Cor, Ltd., in the amount of \$85,000.00 for improvements to roads and drainage facilities for an additional one-year period; and be it futher

RESOLVED, that there will be no further extension of said performance bond for any period of time in the future; and be it futher

RESOLVED, that the Town Clerk be and is hererby directed to forward a certified copy of this resolution to V.P. Cor, Ltd., the Riverhead Planning Board and the Riverhead Highway Department.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
 Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

7-21-92

440 ACCEPTS BOND OF RUSS DAVIS CARTING, INC.

COUNCILPERSON Stark (STARK) offered the following resolution, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI)

WHEREAS, the Town Board of the Town of Riverhead, by resolution adopted June 16, 1992, awarded the bid for solid waste collection and disposal in Contract Bid Area designated "District A" to Russ Davis Carting, Inc., subject to the posting of a bond in the amount of fifty-six thousand six hundred forty-two and 80/100 (\$56,642.80) dollars, covering the costs of residential solid waste collection and disposal in Contract Bid Area designated "District A", as required by said resolution; and

WHEREAS, a performance bond has been forwarded to the Office of the Town Attorney, who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby accept the performance bond of Russ Davis Carting, Inc., covering residential solid waste collection and disposal in Contract Bid Area designated "District A", said bond to be effective August 1, 1992, through December 31, 1992; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Russ Davis Carting, Inc., 377 Carnation Drive, Shirley, New York, 11967; and the Riverhead Sanitation Department, the Planning Board and the Building Department.

The Vote: Gilliam, no; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 4 yes, 1 no.

The resolution was thereupon duly declared adopted.

7-21-92

441 ACCEPTS BOND OF SON MAR CARTING, INC.

COUNCILPERSON Stark (STARK) offered the following resolution, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI):

WHEREAS, the Town Board of the Town of Riverhead, by resolution adopted June 16, 1992, awarded the bid for solid waste collection and disposal in Contract Bid Area designated "District B" to Son Mar Carting, Inc., subject to the posting of a bond in the amount of sixty-seven thousand eighty-five and 90/100 (\$67,085.90) dollars, covering the costs of residential solid waste collection and disposal in Contract Bid Area designated "District B" as required by said resolution; and

WHEREAS, a performance bond has been forwarded to the Office of the Town Attorney, who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby accept the performance bond of Son Mar Carting, Inc., covering solid waste collection and disposal in Contract Bid Area designated "District B", said bond to be effective August 1, 1992, through December 31, 1992; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Son Mar Carting, Inc., P. O. Box 339, Medford, New York, 11763; and the Riverhead Sanitation Department, the Planning Board and the Building Department.

The Vote: Gilliam, no; Creighton, yes; stark, yes; Prusinowski, yes; Janoski, yes. 4 yes, 1 no.

The resolution was thereupon duly declared adopted.

7-21-92

442 ACCEPTS BOND OF RUSS DAVIS CARTING, INC.

COUNCILPERSON Stark (STARK) offered the following resolution, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI)

WHEREAS, the Town Board of the Town of Riverhead, by resolution adopted June 16, 1992, awarded the bid for solid waste collection and disposal in Contract Bid Area designated "District C" to Russ Davis Carting, Inc., subject to the posting of a bond in the amount of sixty-two thousand six hundred twenty-five and 63/100 (\$62,625.63) dollars, covering the costs of residential solid waste collection and disposal in Contract Bid Area designated "District C" as required by said resolution; and

WHEREAS, a performance bond has been forwarded to the Office of the Town Attorney, who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby accept the performance bond of Russ Davis Carting, Inc., covering residential solid waste collection and disposal in Contract Bid Area designated "District C", said bond to be effective August 1, 1992, through December 31, 1992; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Russ Davis Carting, Inc., 377 Carnation Drive, Shirley, New York, 11967; and the Riverhead Sanitation Department, the Planning Board and the Building Department.

The Vote: Gilliam, no; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 4 yes, 1 no.

The resolution was thereupon duly declared adopted.

WHEREAS, the Town of Riverhead has demonstrated its concern for the environment through many programs including recycling, and the nomination application to include the Peconic Bay in the National Estuary Program; and

WHEREAS, the nations of the world were prepared to do more at the Earth Summit and more than twenty nations have already committed to doing so on an individual basis, the United States should cooperate with these efforts by taking its own determined action to further these goals.

WHEREAS, the Town Board of Riverhead recognized the importance of the role of the township in reducing CO₂, promoting energy efficient, and addressing environmental issues in a managed instead of a crisis manner,

NOW THEREFORE BE IT

RESOLVED, that the Town Board for the Town of Riverhead declares its support for the goals of the Earth Summit and encourages the United States Government to establish firm and ambitious timetables for United States greenhouse gas reductions and asks the United States Government to support programs and policies designed to further the efforts of the Town of Riverhead to reduce energy use and greenhouse gas emissions, including:

1. Improve automobile fuel efficiency standards to bring us to par with the other advanced industrialized nations, and
2. Reduce U.S. carbon emissions, and
3. Strengthen our economy by improving energy efficiency in transportation, industry and buildings, and
4. Reduce our dependence on foreign oil by expanding investments in clean, renewable energy, and
5. Enacting national recycling standards to encourage industry to use recycle materials and raw materials in the production of new consumer products, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the North Fork Environmental Council, PO Box 799, Mattituck, New York 11952 and the National Environmental Law Center, 460 Hawkins Avenue, Ronkonkoma, NY 11779.

7-21-92

‡ 443 ACCEPTS BOND OF R.A.S. CARTING OF L.I., INC.

COUNCILPERSON Stark (STARK) offered the following resolution, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI)

WHEREAS, the Town Board of the Town of Riverhead, by resolution adopted June 16, 1992, awarded the bid for solid waste collection and disposal in Contract Bid Area designated "District D" subject to the posting of a bond in the amount of sixty-three thousand nine hundred forty-three and 54/100 (\$63,943.54) dollars, covering the costs of residential solid waste collection and disposal in Contract Bid Area designated "District D" as required by said resolution; and

WHEREAS, a performance bond has been forwarded to the Office of the Town Attorney, who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby accept the performance bond of R.A.S. Carting of L.I., Inc., covering residential solid waste collection and disposal in Contract Bid Area designated "District D", said bond to be effective August 1, 1992, through December 31, 1992; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to R.A.S. Carting of L.I., Inc., P. O. Box 1435, Riverhead, New York, 11901; and the Riverhead Sanitation Department, the Planning Board and the Building Department.

The Vote: Gilliam, no; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 4 yes, 1 no.

The resolution was thereupon duly declared adopted.

7-21-92

444

ACCEPTS BOND OF R.A.S. CARTING OF L.I., INC.

COUNCILPERSON Stark (STARK) offered the following resolution, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI)

WHEREAS, the Town Board of the Town of Riverhead, by resolution adopted June 16, 1992, awarded the bid for solid waste collection and disposal in Contract Bid Area designated "District E" subject to the posting of a bond in the amount of sixty-six thousand five hundred sixty-seven and 65/100 (\$66,567.65) dollars, covering the costs of residential solid waste collection and disposal in Contract Bid Area designated "District E" as required by said resolution; and

WHEREAS, a performance bond has been forwarded to the Office of the Town Attorney, who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby accept the performance bond of R.A.S. Carting of L.I., Inc., covering residential solid waste collection and disposal in Contract Bid Area designated "District E", said bond to be effective August 1, 1992, through December 31, 1992; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to R.A.S. Carting of L.I., Inc., P. O. Box 1435, Riverhead, New York, 11901; and the Riverhead Sanitation Department, the Planning Board and the Building Department.

Roll Call Vote: Gilliam, no; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 4 yes, 1 no.

Resolution was thereupon duly declared adopted.

7-21-92

445 ACCEPTS BOND OF R.A.S. CARTING OF L.I., INC.

COUNCILPERSON Stark (STARK) offered the following resolution, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI)

WHEREAS, the Town Board of the Town of Riverhead, by resolution adopted June 16, 1992, awarded the bid for solid waste collection and disposal in Contract Bid Area designated "District F" subject to the posting of a bond in the amount of fifty-nine thousand nine hundred seventy-eight and 21/100 (\$59,978.21) dollars, covering the costs of residential solid waste collection and disposal in Contract Bid Area designated "District F" as required by said resolution; and

WHEREAS, a performance bond has been forwarded to the Office of the Town Attorney, who has reviewed same as to form.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby accept the performance bond of R.A.S. Carting of L.I., Inc., covering residential solid waste collection and disposal in Contract Bid Area designated "District F", said bond to be effective August 1, 1992, through December 31, 1992; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to R.A.S. Carting of L.I., Inc., P. O. Box 1435, Riverhead, New York, 11901; and the Riverhead Sanitation Department, the Planning Board and the Building Department.

Vote: Gilliam, no; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. **4 yes, 1 no.**

Resolution was thereupon duly declared adopted.

7-21-92

446 APPROVES APPLICATION OF AFRICAN AMERICAN LEADERSHIP COUNCIL

COUNCILPERSON Stark (STARK) offered the following resolution, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI)

WHEREAS, the African American Leadership Council submitted an application for the purpose of holding a celebration of African and Native American cultures to be held at Stotsky Park, Pulaski Street, Riverhead, New York, on Saturday, August 29, 1992; 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 African American Leadership Council for the purpose of holding a celebration of African and Native American cultures at Stotsky Park, Pulaski Street, New York, on Saturday, August 29, 1992 be and is hereby approved **SUBJECT TO** the submission of certificates of insurance in the amount of \$1,000,000.00 naming the Town of Riverhead as additional insured; and be it further;

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to African American Leadership Council and the Riverhead Police Department.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

7/21/92

447

SUPPORTS EFFORTS OF THE UNITED NATIONS
CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

Councilperson Gilliam (GILLIAM) offered the following Resolution which
was seconded by Councilperson Prusinowski (PRUSINOWSKI)

BE IT RESOLVED, that the members of the Town Board of the Town of Riverhead support the efforts of the United Nations Conference on Environment and Development on behalf of the nations of the world and encourage the United States Government to take action aimed at fulfilling the promise of the Earth Summit.

BE IT FURTHER RESOLVED, that

WHEREAS, the Earth Summit was a collaborative international effort involving both industrialized and developing countries with a goal of designing and implementing a global framework for strategies to reduce greenhouse gas buildup and other environmental tragedies; and

WHEREAS, the Township of Riverhead has many critical environmental responsibilities, including land use planning, management of transportation systems, protection of water resources, management of wastes, conservation of energy, and the development of parks; and

WHEREAS, a majority of scientists agree that global temperatures could increase eight degrees Fahrenheit by the end of the next century, due to the release and accumulation of greenhouse gases; and

WHEREAS, developing a sustainable global future includes promoting the use of renewable energy sources; the use and reuse of all wastes and recycled materials; transit alternatives and reduced auto use to improve air quality; restoration and protection of natural habitats; sufficient, appropriate and energy efficient housing; and community design that reduces the need for travel, reduces resource use and maximizes efficiency and social interaction; and

47**SUPPORTS EFFORTS OF THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT**

Motion to Amend - Councilman Prusinowski offered the motion, Councilman Stark seconded.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. **5 yes.**

Motion re: Addition to #5 - Enacting National Recycling Standards to encourage industry to use recycled materials and raw materials in the production of new consumer products

Motion to Amend - Councilman Creighton offered the motion, Councilman Prusinowski seconded.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. **5 yes.**

Motion re: Line #2 - Remove 25%.

The resolution was thereupon duly declared adopted.

7-21-92

448

REJECTS ADOPTION OF AMENDMENT TO CHAPTER 108 "ZONING"
OF THE RIVERHEAD TOWN CODE SECTION 108-169 "MULTIFAMILY
RESIDENTIAL PROFESSIONAL OFFICE ZONE

COUNCILPERSON Stark (STARK) offered the following resolution, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI)

WHEREAS, the Town Board, on its own motion, has considered an amendment to Chapter 108 "Zoning" of the Riverhead Town Code Section 108-169 "Multifamily Residential Professional Office Zone"; and

WHEREAS, a property owner in the Multifamily Residential Professional Zoning Use District has requested a code revision to allow "residential apartment rental units"; and

WHEREAS, on May 19, 1992, the Town Board held a public hearing where all interested persons could be heard; and

WHEREAS, at the public hearing, several members of the Wading River Hamlet Study task force spoke in opposition to the proposed amendment and pointed out that the Hamlet Study task force specifically and intentionally recommended to the Town Board that the Multifamily Residential Professional Zone limit the use to owner-occupied condominium as opposed to residential apartment units; and

WHEREAS, the Wading River Hamlet Study task force had proposed senior citizen owner-occupied condominium development but, as a compromise, recommended residential condominium development; and

WHEREAS, the Hamlet Study, which was adopted by the Town Board, did incorporate the condominium use in the Multifamily Residential Professional Office Zone and the Town Board did, at that time, make reasonable consideration, among other things, to the character of the district and the particular suitability for the condominium development; and

WHEREAS, the following zoning use districts allow for multifamily residential apartment uses:

Business "A" District, by special permit of the Town Board, Section 108-27;

Residence RC District (Retirement Community, by special permit of the Town Board, Section 108-116;

Residence RDC District (Redevelopment Community), Section 108-120; and

WHEREAS, the Town Board purposely and intentionally adopted the Multifamily Residential Professional Office Zone which specified multifamily residential condominium use.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board shall not adopt the proposed amendment to the Multifamily Residential Professional Office Zone, Section 108-169 of the **Riverhead Town Code**; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Charles R. Cuddy, Esq., the Riverhead Planning Department and the Riverhead Building Department.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, excused. 4 yes, 1 excused.

Resolution was thereupon duly declared adopted.

7/21/1992

449

AUTHORIZES PUBLICATION OF REQUEST FOR PROFESSIONAL SERVICES FOR EAST MAIN STREET CORRIDOR TRAFFIC STUDY

(PRUSINOWSKI)

Councilperson Prusinowski offered the following Resolution

which was seconded by Councilperson Stark (STARK).

WHEREAS, the Riverhead Town Board has directed the Planning Department to complete a Future Land Use Plan for the East Main Street corridor; such area including lands with frontage on State Route 25 and County Road 58, and

WHEREAS, a draft plan has been referred to the Riverhead Planning Board for its report and recommendation, and

WHEREAS, the Planning Director has recommended to the Town Board that in order to prepare a land use plan with the appropriate and necessary environmental and planning data, a traffic analysis of a portion of the study area is required, and

WHEREAS, there are funds available within the general consulting engineers budget appropriation to cover the anticipated costs of such study;

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes the Planning Director to prepare a Request For Proposal (RFP) for professional services for the completion of such traffic study required for the implementation of the East Main Street Corridor Plan, and

BE IT FURTHER

RESOLVED, that the Town Board shall reserve the authority to approve the form and content of such RFP PRIOR to its advertisement.

The vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, excused. 4 yes, 1 excused.

The resolution was thereupon duly declared adopted.

12/21/92

450 AUTHORIZES SUPERVISOR TO RENEGOTIATE EMPLOYMENT
CONTRACT WITH KENNETH TESTA

Councilperson Stark (STARK) offered the following (PRUSINOWSKI) resolution, which was seconded by Councilperson Prusinowski

WHEREAS, an Employment Contract was executed on the 8th day of June, 1990, between the Town of Riverhead and Kenneth Testa, Town Engineer for the Town of Riverhead; and

WHEREAS, the Town of Riverhead wishes to renegotiate the terms of said contract.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to renegotiate the terms of said contract with Kenneth Testa; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Kenneth Testa and the Office of the Supervisor.

The Vote: Gilliam, no; Creighton, no; Stark, yes; Prusinowski, yes; Janoski, yes. 3 yes, 2 no.

Resolution was thereupon duly declared adopted.

451 APPOINTS LIEUTENANT TO POLICE DEPARTMENT

Councilperson Janoski (JANOSKI) offered the following resolution, which was seconded by Councilperson Stark (STARK).

WHEREAS, request has been made for the Suffolk County Department of Civil Service Certification of Eligibles for the position of Police Lieutenant; and

WHEREAS, said Certification of Eligibles has been received designating Frederick R. Foote as the #1 candidate.

NOW, THEREFORE, BE IT RESOLVED, that Frederick R. Foote be and is hereby appointed to the position of Police Lieutenant with the Riverhead Police Department effective July 21, 1992 at an annual salary as stipulated and set forth in the contract of the Superior Officers' Association; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Frederick R. Foote, Chief Grattan and the Office of Accounting.

Vote: Gilliam, no; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 4 yes, 1 no.
The resolution was thereupon duly declared adopted.

July 21, 1992

52

Appoints Beach Attendant to Riverhead Recreation Department

Stark (STARK) offered the following resolution and seconded by Prusinowski (PRUSINOWSKI).

RESOLVED, That Curtis Highsmith, Jr. is hereby appointed to serve as a beach attendant effective July 16, 1992 to and including September 8, 1992 to be paid bi-weekly at the rate of \$5.50 per hour and to serve at the pleasure of the Town Board

Roll Call Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

July 21, 1992

453 Appoints Lifeguard to Riverhead Recreation
Department

Stark (COUNCILMAN)
(STARK) offered the following resolution
and seconded by Prusinowski (COUNCILMAN PRUSINOWSKI).

RESOLVED, That Steven F. Santagato is hereby appointed to serve as a lifeguard effective July 16, 1992 to and including September 8, 1992 to be paid at the rate off \$6.00 per hour and to serve at the pleasure of the Town Board.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

July 21, 1992

454 Appoints Lifeguard to Riverhead Recreation Department

Stark (COUNCILMAN STARK)

offered the following resolution
and seconded by Prusinowski (COUNCILMAN PRUSINOWSKI).

RESOLVED, That Timothy Sadowski is hereby appointed to serve as a lifeguard effective July 14, 1992 to and including September 8, 1992 to be paid bi-weekly at the rate of \$6.00 per hour and to serve at the pleasure of the Town Board.

The Vote: Gilliam, yes; Creighton, Yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

12/21/92

455

**APPOINTS TENNIS INSTRUCTOR TO RIVERHEAD
RECREATION DEPARTMENT**

Councilperson Stark (STARK) offered the following
resolution and was seconded by Councilperson Prusinowski (PRUSINOWSKI)

RESOLVED, that Mike Drozd is hereby appointed to serve as Tennis Instructor effective July 13, 1992 to and including September 2, 1992 to be paid bi-weekly at the rate of \$20.00 per hour and to serve at the pleasure of the Town Board.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. **5 yes.**

The resolution was thereupon duly **declared adopted**

7/21/92

456

APPOINTS TENNIS INSTRUCTOR TO RIVERHEAD RECREATION DEPARTMENT

Councilperson Stark (STARK) offered the following

resolution and was seconded by Councilperson Prusinowski (PRUSINOWSKI)

RESOLVED, that Lisa Drozd is hereby appointed to serve as Tennis Instructor effective

July 13, 1992 to and including September 2, 1992 to be paid bi-weekly at the rate of \$20.00 per

hour and to serve at the pleasure of the Town Board.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. **5yes.**

The resolution was thereupon duly declared adopted.

7-21-92

457

CLARIFIES RESOLUTION #428 ADOPTED JULY 16, 1992 RE:
LAUNCHING OF BOATS AT REEVES BEACH AND AUTHORIZES TOWN
CLERK TO PUBLISH AND POST NOTICE OF ADOPTION

COUNCILPERSON Prusinowski (PRUSINOWSKI) offered the following resolution, which was seconded by COUNCILPERSON Stark (STARK) :

WHEREAS, on July 16, 1992, the Town Board adopted Resolution #428 regarding the launching of boats at Reeves Beach; and

WHEREAS, it is the desire of the Town Board to clarify the intent of Resolution #428 as to the dates and times between which boats may be launched at Reeves Beach.

NOW, THEREFORE, BE IT

RESOLVED, that the launching of boats at the boat ramp at Reeves Beach may be conducted prior to 9:00 a.m. and after 6:00 p.m. between May 15 and September 15 of each calendar year; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to publish and post the attached public notice; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Recreation Department, the Riverhead Police Department and the Bay Constable.

Roll Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes;
 Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

Riverhead, New York
 July 21, 1992

BY ORDER OF THE TOWN BOARD
 OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

**ARTICLE II
Use of Recreation Centers and Public Beaches**

48-14. Vehicle restrictions in beach areas.

No vehicles shall be driven or operated over or upon the beach area nor stand at any public bathing beach or recreation center, ~~except for the launching and recovery of boats~~ between May 15 and September 15, both inclusive, in each year from 9:00 a.m. to 6:00 p.m. inclusive, as follows:

Reeves Beach:

- A. Launching and recovery of vessels with a motor vehicle shall be prohibited, except as may be deemed necessary, from time to time, by authorized Town of Riverhead personnel, including but not limited to lifeguards, police officers or the Bay Constable.
- B. Parking of boat trailers, and/or vehicles with boat trailers, shall be prohibited in the lower parking area. Boat trailers, and/or vehicles with boat trailers, shall park in the upper parking area located off of Long View Drive in Reeves Park.
- C. Parking of vehicles and/or trailers on the beach at Reeves Park is hereby prohibited.

and be it further

RESOLVED, that this amendment to the ordinance shall take effect immediately; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Riverhead Recreation Department, Riverhead Town Police and the Bay Constable.

Dated: Riverhead, New York
July 21, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

7-21-92

458

AUTHORIZES APPOINTMENT OF OLIVER MILES TO CUSTODIAL
WORKER I

COUNCILPERSON Creighton (CREIGHTON) offered the following resolution, which was seconded by COUNCILPERSON Gilliam (GILLIAM).

WHEREAS, Oliver Miles believes that his capacity to perform his usual duties with Buildings and Grounds as a Maintenance Mechanic II has been diminished due to health problems; and

WHEREAS, Oliver Miles has consulted with his doctor and his doctor has authorized Mr. Miles to return to work; and

WHEREAS, the Town of Riverhead is attempting to accommodate Mr. Miles by continued employment with the Town of Riverhead; and

WHEREAS, Mr. Miles has requested that he be placed in the position of Custodial Worker I.

NOW, THEREFORE, BE IT

RESOLVED, that Oliver Miles, be and is hereby placed in the position of Custodial Worker I, Group 1, Step 8, of the CSEA Operationad & Technical Salary Schedule effective August 3, 1992; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Oliver Miles and the Accounting Department.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

7-21-92

459

RATIFIES FIREWORKS DISPLAY FOR JAMESPORT FIRE DEPARTMENT

COUNCILPERSON Gilliam (GILLIAM) offered the following resolution, which was seconded by COUNCILPERSON Creighton (CREIGHTON)

WHEREAS, the Jamesport Fire Department submitted an application for a fireworks display for July 18, 1992; and

WHEREAS, certificates of insurance were provided as required by the Code of the Town of Riverhead; and

WHEREAS, application and certificates of insurance submitted were reviewed and approved by the Town Attorney as to form and content; and

WHEREAS, approval for said fireworks display was authorized by letter dated July 17, 1992.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby ratifies the approval for the Jamesport Fire Department to hold a fireworks display, which fireworks display was held on July 18, 1992; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Jamesport Fire Department.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

7-21-92

460

ARTICLE OF AMENDMENT BY RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

AUTHORIZES SUPERVISOR TO EXECUTE LEASE WITH ALEXANDER/
TUTHILL FUNERAL HOME

COUNCILPERSON Stark (STARK) offered the following resolution, which was seconded by COUNCILPERSON Prusinowski (PRUSINOWSKI)

WHEREAS, the Town of Riverhead is the owner of certain real property located at East Main Street, Riverhead, New York, known and designated at SCTM #0600-129-3-11; and

WHEREAS, the Town of Riverhead wishes to lease said property to the Alexander/Tuthill Funeral Home, whose property is adjacent to the above referenced property owned by the Town of Riverhead, in a non-exclusive lease; and

WHEREAS, the property is to be improved by the leasee as a parking area in accordance with a site plan to be submitted to the Town of Riverhead; and

WHEREAS, said parking area will benefit the residents of the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute a lease with Alexander/Tuthill Funeral Home pursuant to Article 7 of Town Law, subject to the filing of a formal site plan with the Town of Riverhead; and be it further

RESOLVED, that this resolution shall be subject to permissive referendum; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to publish and post the attached notice once in the Suffolk County Life; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Allen M. Smith, Esq., attorney for leasee, and the Supervisor's Office.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

**NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM**

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 21st day of July, 1992, the Town Board of the Town of Riverhead adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York:

The Town of Riverhead is the owner of certain real property located at East Main Street, Riverhead, New York, known and designated as SCTM #0600-129-3-11. The Alexander/Tuthill Funeral Home, whose property is adjacent to the above-described property, wishes to enter into a non-exclusive lease with the Town of Riverhead and improve the property by installing a parking lot, which will benefit the residents of the Town of Riverhead, in accordance with a site plan to be submitted to the Town of Riverhead.

Dated: Riverhead, New York
July 21, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

RESOLVED, That the following resolution be adopted by the Town Board of the Town of Riverhead, New York, on July 21, 1992, and that the resolution be subject to a permissive referendum on the date of the next regular meeting of the Town Board, to be held on August 8, 1992, at 8:00 PM, at the Town Board Office, 100 West Main Street, Riverhead, New York.

Attest: Gilliam, yes; Craigton, yes; Clark, yes; Paulinowski, yes;
Jawski, yes; [unclear].

Resolution was [unclear] and declared adopted.

July 21, 1992

461 Appoints Lifeguard to Riverhead Recreation Department

(COUNCILMAN STARK)

Stark offered the following resolution and seconded by Prusinowski (COUNCILMAN PRUSINOWSKI).

RESOLVED, That Paul Lackovic is hereby appointed to serve as a lifeguard effective July 22, 1992 to and including September 8, 1992 to be paid at the rate of \$6.00 per hour and to serve at the pleasure of the Town Board.

The Vote: Gilliam, yes; creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

RESOLUTION # 462 PRUSINOWSKI
 OFFERED the following resolution, which was
 adopted by COUNCILPERSON Stark RESOLVED, that the SUPERVISOR
 is hereby authorized to pay the following:

ACCOUNTS	TOTALS
GENERAL TOWN 001	\$275,566.66
WORKING METER 002	\$261.40
AMBULANCE 003	\$0.00
POLICE ATHLETIC LEAGUE 004	\$0.00
RECREATION CENTER 005	\$375.00
RECREATION PROGRAM 006	\$3,474.47
TRUCKWAY 111	\$44,944.56
LANDFILL 112	\$24,936.85
REPAIR & MAINTENANCE 113	\$0.00
SEWER 114	\$9,509.35
SOLID WASTE COLLECTION DIST. 115	\$11,966.57
STREET LIGHTING 116	\$4,882.96
PUBLIC PARKING 117	\$2,135.35
BUSINESS IMPROVEMENTS DISTRICT 118	\$0.00
HOSPITALIZATION SELF INSURANCE 174	\$18,410.27
RISK RETENTION 175	\$4,483.50
EMPLOYMENT INSURANCE RESERVE 176	\$0.00
MAIN ST. REHAB 177	\$0.00
ECONOMIC REVOLVING LOAN 178	\$2,800.34
RESIDENTIAL REHAB 179	\$37.00
RECREATIONARY/SMALL CITIES 180	\$146.00
WATER CONSORTIUM ACCOUNT 181	\$0.00
URBAN DEVEL CORP WORKING 182	\$0.00
WATER CONSORTIUM ACCOUNT 183	\$0.00
STORE GRANT PROGRAM 184	\$5,740.00
PUBLIC PARKING DEBT 381	\$0.00
SEWER DEBT 382	\$0.00
WATER DEBT 383	\$0.00
SCAVENGER WASTE DISTRICT DEBT 385	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$36,623.58
EIGHT HUNDRED SERIES 408	\$8,722.49
TWO BEARS 440	\$0.00
TRIPS 451	\$0.00
YOUTH SERVICES 452	\$1,334.14
SENIORS HELPING SENIORS 453	\$1,617.63
TRUST 454	\$1,235.23
MUNICIPAL FUEL FUND 625	\$0.00
MUNICIPAL GARAGE 626	\$2,397.48
TRUST & AGENCY 735	\$343,818.09
SPECIAL TRUST 736	\$0.00
JOINT SCAVENGER WASTE 918	\$8,601.71
GRAND TOTAL	\$814,020.63

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

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY DECLARED ADOPTED

CK RUN JULY 17, 1992 (TBM 7-21-92)
 offered the following resolution, which was
 COUNCIL PERSON RESOLVED, that the SUPERVISOR
 hereby authorized to pay the following:

ACCOUNTS	TOTALS
TOWN 001	\$22,053.09
WATER 002	\$0.00
003	\$280.80
ATHLETIC LEAGUE 004	\$0.00
005	\$0.00
PROGRAM 006	\$132.00
111	\$23,659.45
112	\$824.13
MAINTENANCE 113	\$687.74
114	\$5,766.14
WASTE COLLECTION DIST. 115	\$653.59
LIGHTING 116	\$20,396.57
PARKING 117	\$2,753.76
IMPROVEMENTS DISTRICT 118	\$11.40
LIABILITY SELF INSURANCE 174	\$24,028.94
175	\$0.00
INSURANCE RESERVE 176	\$0.00
REPAIR 177	\$0.00
REVOLVING LOAN 178	\$0.00
REPAIR 179	\$0.00
LIBRARY/SMALL CITIES 180	\$0.00
CONSORTIUM ACCOUNT 181	\$80.00
LEVEL CORP WORKING 182	\$0.00
CONSORTIUM ACCOUNT 183	\$0.00
GRANT PROGRAM 184	\$800.00
PARKING DEBT 381	\$0.00
DEBT 382	\$0.00
DEBT 383	\$0.00
WASTE DISTRICT DEBT 385	\$0.00
LIB. CAPITAL PROJECTS 406	\$25,907.38
HUNDRED SERIES 408	\$9,950.00
440	\$0.00
451	\$0.00
SERVICES 452	\$0.00
HELPING SENIORS 453	\$0.00
454	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00
MUNICIPAL GARAGE 626	\$788.95
AGENCY 735	\$100.00
TRUST 736	\$0.00
SCAVENGER WASTE 918	\$5,700.00
GRAND TOTAL	\$144,573.94

463 APPROVES SPECIAL PERMIT OF BEGINNING POINT DAY CARE
SHIRLEY FIELDS

Councilperson Gilliam (GILLIAM) offered the following resolution,
which was seconded by Councilperson Creighton (CREIGHTON)

WHEREAS, the Riverhead Town Board is in receipt of a petition from Shirley Fields for a special permit to provide for a day care center in an existing dwelling within the Residence C Zoning Use District; such petition is more particularly described as Suffolk County Tax Map Number 0-65-2-9, and

WHEREAS, the Riverhead Planning Department has submitted an environmental report to the Town Board, and

WHEREAS, the applicant has submitted a permit from the Suffolk County Department of Social Services for the provision of day care for children in a group family day care home, and

WHEREAS, the special permit has been referred to the Riverhead Planning Board for its report and recommendation. Such Board recommending that the Town Board approve the special permit, and

WHEREAS, the Town Board held a hearing on this Petition on July 21, 1992, to hear all interested persons, and

WHEREAS, the Riverhead Town Board has carefully considered the SEQR record created to date, the report of the Riverhead Planning Department, the report of the Riverhead Planning Board, the record of the public hearing, as well as all other relevant planning, zoning, and environmental information;

NOW, THEREFORE, BE IT

RESOLVED, that based upon its review, the Riverhead Town Board makes the following Findings:

FIRST, that the site is suitable for the location of such use in the community;

SECOND, that the lot area is sufficient and appropriate for the proposed use;

THIRD, that access facilities are adequate to serve the needs of the proposed use, and

BE IT FURTHER

RESOLVED, that based upon its determinations, the Riverhead Town Board hereby approves the special permit application of Shirley Fields to provide for a day care facility within the Residence C Zoning Use District subject to the following conditions:

FIRST, that the applicant maintain a current permit to operate with the Suffolk County Department of Social Services;

SECOND, that all children to be cared for in this facility be between the ages of zero to five years of age and that at no time shall the total number of children enrolled exceed seven (7), and

BE IT FURTHER

RESOLVED, that the Town Clerk is authorized to forward a certified copy of this resolution to Shirley Fields, the Town Attorney, the Planning Department, and the Building Department.

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

The resolution was thereupon duly declared adopted.

464

REQUESTS REPRESENTATION OF TOWN OF RIVERHEAD ON THE LONG ISLAND FERRY STEERING COMMITTEE

COUNCILPERSON STARK offered the following resolution, which was seconded by COUNCILPERSON Prusinowski :

WHEREAS, a Long Island Ferry Steering Committee has been formed through the Office of Transportation Policy and Public Transportation to conduct a study regarding the feasibility of operating a high-speed ferry service from the Shoreham Nuclear Power facility; and

WHEREAS, there is no representation for the residents of the Town of Riverhead on the committee.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead hereby requests the New York State Office of Transportation Policy and Public Transportation to contact Joseph F. Janoski, Supervisor of the Town of Riverhead, so that representatives may be appointed to the Long Island Ferry Steering Committee; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the New York State Department of Transportation; Legislator Michael Carracciolo; and the Supervisor's Office.

The vote, Gilliam, yes, Creighton, yes, Stark, Yes, Prusinowski, yes and Janoski, yes.

The resolution was thereupon declared duly adopted.

The vote, Gilliam, yes; Creighton, yes, Stark, yes, Prusinowski, yes and Janoski, yes.

5 YES

The resolution was thereupon declared duly adioted,