

9/1/92

523

AWARDS BID FOR OFFICE SUPPLIES

RESOLUTION #

ADOPTED:

COUNCILPERSON Prusinowski offered the following resolution, which was seconded by COUNCILPERSON Stark.

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for OFFICE SUPPLIES;

WHEREAS, bids were received, opened, and read aloud on the 14th day of August 1992, at 11:00 a.m. at Town Hall, 200 Howell Avenue Riverhead, New York 11901, the date, time, and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for OFFICE SUPPLIES, FURNITURE and EQUIPMENT be and is hereby awarded as follows:

<u>BIDDER</u>	<u>CATEGORY AWARDED</u>
Central Office Supply, Inc.	A - Supplies 48.5% off net delivered
Central Office Supply, Inc.	B - Furniture 42.5% off net delivered
Patchogue Stationery, Inc.	C - Electronics 25% off net delivered

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to CENTRAL OFFICE SUPPLY, INC., PATCHOGUE STATIONERY, INC. and all Town Hall departments.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

9/1/92

524 AUTHORIZES ATTENDANCE OF ASSESSORS AT SEMINAR

Councilperson Stark offered the following resolution which was seconded by Councilperson Prusinowski.

WHEREAS, October 13 through October 16, 1992, a Conference on Assessment Administration is being held in Monticello, New York, and

WHEREAS, 2 members of the Board of Assessors have expressed an interest and desire in attending said conference.

NOW, THEREFORE, BE IT RESOLVED, that Leroy Barnes, Jr., Chairman of the Board of Assessors, and Laverne Tennenberg, Member of the Board of Assessors, be and are hereby authorized to attend the Conference on Assessment Administration to be held in Monticello, New York, October 13 through October 16, 1992.

BE IT FURTHER RESOLVED, that the use of the Town vehicle is hereby authorized, and

BE IT FURTHER RESOLVED, that each assessor shall be reimbursed for costs of registration, tuition, deposit, travel, lodging and meals, not to exceed a total of \$490.00 each, and

BE IT FURTHER RESOLVED, that said expenses are to be fully receipted upon their return, and

BE IT FURTHER RESOLVED, that expenses incurred for tuition, travel, lodging and meals are subject to reimbursement by the State of New York to the Town of Riverhead upon completion of said conference.

THE VOTE

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

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

NO. 525

DATE: 9-1-92

COUNCILPERSON Creighton OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON Gilliam.

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

BUDGET ADJUSTMENT
POLICE ATHLETIC LEAGUE

FROM:

004.092705.471000 P.A.L.DONATIONS \$2000.00

TO:

004.031200.540000 P.A.L.CONTR.EXPENSES \$2000.00

THE VOTE

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

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

NO. 526

DATE 9-1-92

COUNCILPERSON Gilliam OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY **COUNCILPERSON** Creighton

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

BUDGET ADJUSTMENT
GENERAL TOWN

		FROM:
001.031200.524212	POLICE, RADAR EQUIP.	\$ 565.00
001.031200.524226	POLICE, TELEPHONE EQUIP.	80.00
001.031200.542301	POLICE, RADAR MAINT.	250.00
001.031200.542307	POLICE, FLARES	786.00
001.031200.542309	POLICE, TRAFFIC BARRICADES	59.00
001.031200.542408	POLICE, BULLET PROOF VESTS	943.00
001.031200.524223	POLICE, CAMCORDER EQUIP.	50.00
001.013550.543400	ASSESSORS, EDUCATION	100.00
001.012415.442401	SHOWMOBILE RENTAL	2,000.00

		TO:
001.031200.541403	POLICE, RECORD.EQUIP.MAINT.	\$2,066.00
001.031200.541407	POLICE, TYPEWRITER MAINT.	500.00
001.031200.524350	POLICE, LAW LIBRARY	117.00
001.031200.524415	POLICE, BINOCULARS	50.00
001.013550.542100	ASSESSORS, OFFICE SUPPLIES	100.00
001.064100.542611	ECONOMIC DEV., ADVERTISING	2,000.00

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

9-1-92

527 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO CHAPTER 108 "ZONING" TO THE RIVERHEAD TOWN CODE AT ARTICLE XXII BUSINESS PB DISTRICT SECTION 108-112 "USES"

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

WHEREAS, Resolution #515 adopted August 18, 1992, authorized the Town Clerk to publish and post a public notice calling for a public hearing on September 1, 1992, to amend Section 108-112 of the Town Code; and

WHEREAS, said notice was not published as prescribed by Town Law.

NOW, THEREFORE, BE IT

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" to the Riverhead Town Code at Article XXII Business PB District Section 108-112 "Uses":

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of September, 1992, at 7:25 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Chapter 108 "Zoning" to the Riverhead Town Code at Article XXII Business PB District Section 108-112 by eliminating the current special permit uses and making them permitted uses, with the exception of day-care centers, which shall remain as a special permitted use. A complete copy of the proposed amendment may be obtained from the Town Clerk's Office at 200 Howell Avenue, Riverhead, New York, during normal business hours Monday through Friday between 9:00 a.m. and 4:30 p.m.

Dated: Riverhead, New York
September 1, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATAN, Town Clerk

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

108-112. Uses.

In the Business PB District (Professional Service Building), no building, structure or premises shall be used or arranged or designed to be used and no building or structure shall be hereafter erected, reconstructed or altered or occupied, unless otherwise provided in this chapter, for one (1) or more of the following ~~special permit~~ uses or accessory uses:

A. Permitted uses. ~~Special permit uses.~~ ~~All special permit uses set forth herein shall be subject to the approval of the Town Board, pursuant to the definition of special permits in Section 108-3 of this chapter. Special permit uses are as follows:~~

(1) Professional offices of:

- (a) Accountants.
- (b) Architects.
- (c) Artists
- (d) Attorneys.
- (e) Audiologists.
- (f) Bookkeepers.
- (g) Chiropractors.
- (h) Dentists.
- (i) Draftsmen.
- (j) Engineers.
- (k) Income tax preparers.
- (l) Insurance agents or brokers.
- (m) Interior decorators.
- (n) Journalists.
- (o) Medical doctors.
- (p) Optometrists.
- (q) Osteopaths.
- (r) Podiatrists.
- (s) Photographers
- (t) Physical therapists.
- (u) Real estate agents or brokers.
- (v) Surveyors.
- ~~(w) Day-care centers or nursery schools as defined by the Social Service Law.~~

~~(2) Professional offices or a person or persons determined by the Town Board to be engaged in a profession similar to those set forth in Subsection A(1) above.~~

B. Special permit uses. All special permit uses set forth herein shall be subject to the approval of the Town Board, pursuant to the definition of special permits in Section 108-3 of this chapter. Special permit uses are as follows:

- (a) Day-care centers or nursery schools as defined by the Social Service Law.

(b) Any other professional offices or person or person engaged in a profession similar to those in A(1) above.

C.B. Accessory uses. Accessory uses shall include those uses customarily incident to any of the above permitted or special permitted uses when located on the same lot and specifically granted by the Town Board as accessory to the permitted or special permitted uses.

Jason H. Sorcin, Secretary of the Riverhead Corporation, for the Corporation, has submitted a site plan dated last August 10, 1992, as prepared by Frederick Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and elevations dated last August 10, 1992, as prepared by Frederick Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Planning Department has reviewed the site plan dated last August 10, 1992, as prepared by Frederick Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and elevations dated last August 10, 1992, as prepared by Frederick Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, 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 and hearings, the Town Board determines that the site plan applied for will be a minor Type II 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 read and initialed by the Town Board to show changes that are reflected set forth in this resolution, which site plan shall be on record with the Town Clerk; and

THE VOTE

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

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

RESOLVED, that the Town Board of the Town of Riverhead, New York, do hereby approve the site plan submitted by Jason H. Sorcin, Secretary of the Riverhead Corporation, for the Corporation, for the Corporation, has submitted a site plan dated last August 10, 1992, as prepared by Frederick Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and elevations dated last August 10, 1992, as prepared by Frederick Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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APPROVES SITE PLAN OF BLACKMAN-RIVERHEAD CORPORATION -
LOADING DOCK

Councilperson Stark offered the following resolution, which was seconded by Councilperson Prusinowski :

WHEREAS, a site plan and elevations were submitted by Jason H. Sossin, as Vice President of the Blackman-Riverhead Corporation for the construction of an 18' x 80' loading ramp, 28' x 30' concrete platform, and 30' x 36' metal canopy on the west side of a building located at the southwest corner of Sound Avenue and Osborne Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-41-2-3; and

WHEREAS, the Planning Department has reviewed the site plan dated last August 10, 1992, as prepared by Frederick Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and elevations dated last August 10, 1992, as prepared by Frederick Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type II 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 Jason H. Sossin, as Vice President of the Blackman-Riverhead Corporation, for the construction of an 18' x 80' loading ramp, 28' x 30' concrete platform, and 30' x 36' metal canopy on the west side of a building, located at the southwest corner of Sound Avenue and Osborne Avenue, Riverhead, New York, site plan dated last August 10, 1992, as prepared by Frederick Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, and elevations dated last August 10, 1992, as prepared by Frederick Wood, P.E., 426 Kane Avenue, East Patchogue, New York, 11772, 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, SOUND REALTY COMPANY hereby authorizes and consents to the Town of Riverhead to enter premises at the southwest corner of Sound Avenue and Osborne Avenue, 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. 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; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jason H. Sossin, as Vice President of the Blackman-Riverhead Corporation, Frederick Wood, P.E., the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, in all cases, 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 terms and conditions of any other applicable regulations as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1992, made by SOUND REALTY COMPANY, residing at 120 Hicksville Road, Bethpage, New York, 11714, 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 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.

529 APPROVES SITE PLAN OF P.C. RICHARD & SON

Councilperson Creighton offered the following resolution, which was seconded by Councilperson Gilliam :

WHEREAS, a site plan and elevations were submitted by James V. DeLuca as agent for P.C. Richard & Son for the addition of two (2) rollup doors and one (1) pass-thru door on the north elevation located at the north side of County Route 58, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-3-24; and

WHEREAS, the Planning Department has reviewed the site plan dated last June, 1992, as prepared by James V. DeLuca, 12 Linda Lane East, Riverhead, New York, 11901, and elevations dated June, 1992, as prepared by James V. DeLuca, 12 Linda Lane East, 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) Type II 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 James V. DeLuca as agent for P.C. Richard & Son, for the addition of two (2) rollup doors and one (1) pass-thru door on the north elevation, located at the north side of County Route 58, Riverhead, New York, site plan dated last June, 1992, as prepared by James V. DeLuca, 12 Linda Lane East, Riverhead, New York, 11901, and elevations dated June, 1992, as prepared by James V. DeLuca, 12 Linda Lane East, Riverhead, New York, 11901, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

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

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements 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, A. J. RICHARD & SONS, INC. hereby authorizes and consents to the Town of Riverhead to enter premises at the north side of County Route 58, 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. 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; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to James V. DeLuca as agent for P.C. Richard & Son, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

WHEREAS, the owner and proprietor of the property described in the within covenants and deed, and as a condition of grant, it is required that the within deed be filed in the County Clerk's Office and

WHEREAS, the Board of Supervisors has determined that said deed be declared and subsequent to the

NOW, THEREFORE, this resolution is adopted that the intentions above expressed shall be published, covenant and deed shall be published and shall run with the land, and shall be binding on all purchasers and holders of said property, their legal representatives, assigns, heirs and assigns with

1. That the provisions of the Ordinance and Code which are not addressed by this resolution shall be the action of the Town shall be complied with by the owner of the property covered by this resolution

2. That the sign, design, location and color of all signage shall be submitted to the Town Board for approval pursuant to the site plan approval and the sign shall be approved prior to being installed at the property, that all signage so proposed shall be constructed in accordance with the Riverhead Town Code shall be complied with, and that all signage

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1992, made by A. J. RICHARD & SONS, INC., residing at 203 S. Service Road, Plainview, New York, 11803, 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 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.

530

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO CHAPTER 108 "ZONING" TO THE RIVERHEAD TOWN CODE "PARKING SCHEDULE"

COUNCILPERSON Gilliam offered the following resolution, which was seconded by COUNCILPERSON Creighton :

WHEREAS, the Riverhead Town Board has requested the Planning Department to research the appropriateness of the parking schedule relative to use by theatres; and

WHEREAS, such analysis indicated that the Riverhead Parking Schedule erquires excessive parking relative to this land use; and

WHEREAS, excessive parking results in reduced open space and green areas upon site plans.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider amending Chapter 108 "Zoning" of the Riverhead Town Code "Parking Schedule":

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of September, 1992, at 7:30 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider amending Chapter 108 "Zoning" of the Riverhead Town Code "Parking Schedule" as follows:

ZONING

Parking Schedule

Theatres, auditoriums, or any public assembly with fixed seats, including churches, schools above elementary levels, colleges and universities 1 per 2 3 seats

and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward this resolution to the Suffolk County Planning Commission; the L.I. State Park Commission; the Towns of Brookhaven, Southold and Southampton; and the L.I. Pine Barrens Review Commission.

Dated: Riverhead, New York
September 1, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

9/1/92

531 AUTHORIZES ESTABLISHMENT OF PETTY CASH ACCOUNT FOR SENIOR CITIZEN PROGRAM

Councilperson Prusinowski offered the following resolution, which was seconded by Councilperson Stark.

RESOLVED, that an impressed petty cash account in the amount of \$50.00 be established, for the Senior Citizens Programs and that the Assistant Senior Center Manager, Sue McEvoy act as custodian of said Petty Cash Account

BE IT FURTHER RESOLVED, that said petty cash account is assigned to Sue McEvoy; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Sue McEvoy and the Office of Accounting.

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Part-Time Assistant Cook with the Town of Riverhead Senior Center. Applicants for the position of Part-Time Assistant Cook should possess good culinary skills. Interested individuals must submit an application to the Accounting Department, 200 North Avenue, Riverhead, NY between the hours of 1:30 p.m. and 4:00 p.m. weekdays. No applications will be accepted for this position after September 11, 1992. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age or handicapped status in employment or the provision of services.

Barbara ... Town Clerk

THE VOTE

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

THE RESOLUTION WAS X WAS NOT
THEREUPON DULY DECLARED ADOPTED

9/1/92

532 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD:
PART-TIME ASSISTANT COOK

Councilperson Stark offered the following resolution,
which was seconded by Councilperson Prusinowski.

WHEREAS, due to a reorganization of the Nutrition Center it
is necessary to hire an additional part-time Assistant Cook.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and
is hereby authorized to publish and post the following "Help
Wanted" ad for the positions of Part-Time Assistant Cook with the
Town of Riverhead Nutrition Center in the September 2, 1992 issue
of Suffolk Life Newspapers.

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a
qualified individual to serve in the position of Part-Time
Assistant Cook with the Town of Riverhead Nutrition Center.
Applicants for the position of Part-Time Assistant Cook should
possess good culinary skills. Interested individuals must submit
an application to the Accounting Department, 200 Howell Avenue,
Riverhead, NY between the hours of 8:30 a.m. and 4:30 p.m.
weekdays. No applications will be accepted for these position
after September 11, 1992. The Town of Riverhead does not
discriminate on the basis of race, color, national origin, sex,
age or handicapped status in employment or the provision of
services.

BY ORDER OF THE RIVERHEAD TOWN BOARD

Barbara Grattan, Town Clerk

Dated: September 1, 1992
Riverhead, NY

THE VOTE

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

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

533

IN RECOGNITION OF THE INTERNATIONAL ACHIEVEMENT OF DOROTHY E. MUMA AS PRINCIPLE OWNER AND TRAINER OF THE HORSE "GRAF GEORGE" WHICH WON A BRONZE MEDAL AT THE 1992 SUMMER OLYMPIC GAMES, BARCELONA, SPAIN.

COUNCILPERSON Gilliam offered the following Resolution which was seconded by COUNCILPERSON Creighton.

WHEREAS, the Town of Riverhead takes pride in the accomplishments of its residents; and

WHEREAS, the Town of Riverhead wishes to appropriately recognize and encourage outstanding achievements by its residents; and

WHEREAS, the Town of Riverhead acknowledges that Town resident Dorothy E. Muma has gained international recognition at the 1992 Summer Olympics, Barcelona, Spain, as principle owner of the horse "Graf George" which placed third in the Team Triscage event; and

WHEREAS, the Town of Riverhead wishes to recognize the accomplishment of Town resident Dorothy E. Muma receiving the Bronze Medal at the 1992 Summer Olympics for the performance of her horse "Graf George";

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the issuance of a Town Proclamation to Dorothy E. Muma, in recognition of her international achievement; and

BE IT FURTHER

RESOLVED, that the Town Board shall declare Tuesday, September 1, 1992 Dorothy E. Muma day; and

BE IT FURTHER

RESOLVED, that the Town Clerk is directed to provide a certified copy of this resolution to Dorothy E. Muma, Roanoke Avenue, RD #1 Box 19, Riverhead, New York 11901.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Resolution Adopted By Acclamation

9/1/92

534 AUTHORIZES SUPERVISOR TO SUBMIT LETTER OF SUPPORT FOR APPLICATION OF RIVERHEAD HOUSING DEVELOPMENT CORP.

Councilperson Creighton offered the following resolution, which was seconded by Councilperson Gilliam.

WHEREAS, the Riverhead Housing Development Corporation did receive an invitation of the Department of Housing and Urban Development to submit an application for additional funding; and

WHEREAS, the Riverhead Housing Development Corporation has expressed an interest in making application for 50 additional Section 8 housing certificates. The breakdown by bedroom size for the 50 certificates applied for will be - Twenty Five - one-bedroom elderly/handicapped, Thirteen - two-bedroom and twelve - three bedroom certificates; and

WHEREAS, the Riverhead Housing Development Corporation has requested a letter of the Riverhead Town Board in support of this funding application.

NOW, THEREFORE, BE IT RESOLVED, that the action of the Town Supervisor in preparation and submission of a letter of support dated August 27, 1992 for inclusion in the application of the Riverhead Housing Development Corporation for 50 additional Section 8 housing certificates be and is hereby ratified; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Christine McCusker, Executive Director, Riverhead Housing Development Corporation.

THE VOTE

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

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

9/1/92

535 APPOINTS JACK KRATOVILLE AS MEMBER OF TOWN OF RIVERHEAD SENIOR CITIZENS ADVISORY COUNCIL

Councilperson Prusinowski offered the following resolution, which was seconded by Councilperson Stark.

WHEREAS, Grace Baxter was by resolution #337 of 5/19/92 appointed to a three-year term as a member of the Town of Riverhead Senior Citizen Advisory Council; and

WHEREAS, due to the relocation of Grace Baxter, she will be unable to complete her term as a member of the Town of Riverhead Senior Citizen Advisory Council; and

WHEREAS, by letter dated August 24, 1992, Evelyn Van Houten as Chairperson of the Senior Citizen Advisory Council has recommended the appointment of Jack Kratoville to complete the unexpired term of Grace Baxter.

NOW, THEREFORE, BE IT RESOLVED, that Jack Kratoville be and is hereby appointed as a member of the Town of Riverhead Senior Citizen Advisory Council to complete the unexpired term of Grace Baxter; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Evelyn Van Houten, Chairperson, of the Town of Riverhead Senior Citizen Advisory Council.

THE VOTE

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

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

9/1/92

536 APPOINTS ANN CLINTON AS PROVISIONAL NUTRITION SITE MANAGER

Councilperson Stark offered the following resolution, which was seconded by Councilperson Prusinowski.

WHEREAS, due to the resignation of Lyn McDonald from her position of Senior Citizen Program Director, a reorganization of the staffing of the senior programs of the Town of Riverhead has taken place; and

WHEREAS, said reorganization calls for the appointment of a Nutrition Site Manager.

NOW, THEREFORE, BE IT RESOLVED, that Ann Clinton be and is hereby appointed to the provisional position of Nutrition Site Manager effective August 31, 1992 at the annual salary of \$23,781.96 as set forth in Group 9, Step 5 of the 1992 CSEA Clerical & Supervisory Salary Schedule; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Ann Clinton, Ed Hudgins and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

9/1/92

#537 APPOINTS EILEEN ROMAN AS PROVISIONAL SR. ACCOUNT CLERK
TYPIST

Councilperson Creighton offered the following resolution, which was seconded by Councilperson Gilliam.

WHEREAS, due to the resignation of Suzanne Breitenbach from her position of Stenographer with the Planning Department, a reorganization of the staffing of the Planning Department and Community Development Department has taken place.

NOW, THEREFORE, BE IT RESOLVED, that Eileen Roman be and is hereby appointed to the provisional position of Sr. Account Clerk Typist at the annual salary of \$25,213.22 as set forth in Group 11, Step 5 of the 1992 CSEA Clerical and Supervisory Salary Schedule; and

BE IT FURTHER RESOLVED, that said provisional appointment is subject to the approval of the Suffolk County Department of Civil Service; and

BE IT FURTHER RESOLVED, that the salary increase shall be effective the date on which the Supervisor is able to execute the promotional list for the title of Sr. Account Clerk Typist as provided by the Suffolk County Department of Civil Service; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Eileen Roman, Andrea Lohneiss, Richard Hanley and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

9/1/92

#538 ACCEPTS RESIGNATION OF REGINALD UNDERWOOD FROM POSITION OF POLICE OFFICER

Councilperson Gilliam offered the following resolution, which was seconded by Councilperson Creighton .

WHEREAS, Reginald G. Underwood, III was by resolution #550 adopted 9/17/91 appointed to the position of Police Officer with the Town of Riverhead and placed on a leave of absence; and

WHEREAS, by letter received September 1, 1992, Reginald G. Underwood III has advised the Town Board that he is not interested in filling the position of Police Officer.

NOW, THEREFORE, BE IT RESOLVED, that the letter of resignation of Reginald G. Underwood, III be and is hereby accepted; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Reginald G. Underwood, III, Chief of Police Grattan, and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

September 1, 1992

#539 APPROVES SITE PLAN OF PAYLESS SHOE SOURCE

Councilperson Prusinowski offered the following resolution, which was seconded by Councilperson Stark :

WHEREAS, a site plan and elevations were submitted by Margaret Kelly as agent for Payless Shoe Source for a storefront renovation located at the southwest corner of County Route 58 and Roanoke Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-4-14.6; and

WHEREAS, the Planning Department has reviewed the elevations dated last August 20, 1992, as prepared by Hammer & Bartlett Associates, Inc., 106 Third Street, Mineola, N. Y. 11501, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type II 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 Margaret Kelly as agent for Payless Shoe Source, for a storefront renovation, located at the southwest corner of County Route 58 and Roanoke Avenue, Riverhead, New York, elevations dated last August 20, 1992, as prepared by Hammer & Bartlett Associates, Inc., 106 Third Street, Mineola, N. Y. 11501, 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. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

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

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

9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "**No Parking, Handicap Only**", and the universal symbol affixed thereto. Further, by execution and filing of this document, the REQUERDO CORP. hereby authorizes and consents to the Town of Riverhead to enter premises at the southwest corner of County Route 58 and Roanoke Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

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

11. 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 a sample of the proposed brick shall be submitted to, and approved by, the Planning Department for conformity, prior to its installation on site; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Margaret Kelly as agent for Payless Shoe Source, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

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 shall be installed prior to being installed at the property; that all signage as proposed shall be coordinated in appearance and design and that all provisions of Section 108-54 of the Riverhead Town Code shall be complied with, and that all signage shall be applied as required as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval herein;

DECLARATION AND COVENANTS

THIS DECLARATION, made this _____ day of _____, 1992, made by the **REQUERDO CORP.**, residing at 1770 Walt Whitman Road, Melville, N. Y. 11747, 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 a way as to cause direct glare on neighboring properties or adjoining highways;

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

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

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

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

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

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

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

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

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

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

DIRECTS COUNTY OF SUFFOLK
WARREN, JR. REQUERDO CORP.

(Officer, Title)

STATE OF NEW YORK
) ss.:
COUNTY OF SUFFOLK

On the _____ day of _____, 1992, before me personally came _____, residing at _____; that (s)he is the _____ of the Requerdo Corp., the corporation described in the foregoing instrument; that (s)he knows the seal of said corporation; that the seal affixed is the seal of said corporation; and that it was affixed by order of the Board of Directors of said corporation.

NOTARY PUBLIC

THE VOTE

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

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

9-1-92

540 DIRECTS COUNTY OF SUFFOLK TO PURCHASE PROPERTY OF OLIN WARNER, JR., WITHOUT FURTHER DELAY

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

WHEREAS, the Planning Department made a report to the Town Board of those parcels within the Town which were eligible for a portion of Suffolk County funds established for the purpose of purchase of property within the Special Groundwater Protection Area; and

WHEREAS, the Town Board adopted Resolution #545 on August 7, 1990, recommending to Suffolk County that it purchase the 30-acre tract owned by Olin Warner, located on the South side of River Road, Calverton, New York, known and designated as SCTM #0600-118-4-5.1, 13 and 14, said property being environmentally sensitive and being contiguous with the Peconic River, which is part of the Wild, Scenic and Recreational Rivers Act; and

WHEREAS, the Town Board hereby wishes to make clear that the County of Suffolk should follow our recommendation for acquisition; and

WHEREAS, a 30-acre tract of environmentally sensitive land should not have to wait in excess of 24 months for movement by the County of Suffolk for acquisition.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead insists that the County of Suffolk proceed, in good faith and without further delay, to acquire the above-described parcel owned by Olin Warner, Jr.; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to David Fishbein, Esq., Division of Real Estate; and Robert Cimino, Esq., County Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

9-1-92

541 AUTHORIZES TOWN CLERK TO FORWARD NOTICE TO RALPH NASO
PURSUANT TO CHAPTER 96 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, Section 96-2B of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds on property located in the Town of Riverhead; and

WHEREAS, property located at the corner of Maple Avenue and Second Street, Riverhead, Suffolk County, New York, known and designated as SCTM #0600-129-2-26, is not in compliance with the requirements of Section 96-1 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the property owner to remove the rubbish and debris and to cut the grass at the above-mentioned property; and

WHEREAS, that in the event the property owner fails to remove the rubbish, refuse and other debris and to cut the grass and weeds at the above-mentioned property within ten (10) days of his receipt of the attached notice, the Town Board shall authorize the work to be completed and the cost thereof to be assessed or levied upon the above-mentioned property pursuant to

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to serve a certified copy of this resolution, together with the attached notice, upon Ralph Naso, Route 25, Calverton, New York, 11933, by certified mail, return receipt, and by regular mail in a plain unmarked wrapper; and be it further

RESOLVED, that in the event the property owner fails to remove the rubbish, refuse and other debris and to cut the grass and weeds at the above-mentioned property, the Town Board shall authorize the work to be completed and the cost thereof to be assessed or levied upon the above-mentioned property; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Ordinance Inspector and the Town Attorney's Office.

TOWN OF RIVERHEAD
NOTICE TO PROPERTY OWNER

TO: Ralph Naso
Route 25
Calverton, New York 11933

PLEASE TAKE NOTICE, that pursuant to Chapter 96 of the Riverhead Town Code, the Town Board of the Town of Riverhead hereby requires that you cause the property located at the corner of Maple Avenue and Second Street, Riverhead, New York, known and designated as SCTM #0600-129-2-26, to be cleaned of all rubbish, refuse and other debris and that the grass and weeds be mowed within ten (10) days from the date of this notice.

PLEASE TAKE FURTHER NOTICE, that your failure to respond by completing the work required will cause the Town of Riverhead to have the work done for you and that you will be billed for the cost. If you fail to pay such bill, the cost shall be assessed or levied upon your property pursuant to the provisions of Chapter 96 of the Riverhead Town Code.

Dated: Riverhead, New York
September 1, 1992.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

THE VOTE

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

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

RESOLUTION #542-92 OFFERED BY COUNCILPERSON Prusinowski RESOLVED, that the SUPERVISOR Stark hereby authorized to pay the following:

ACCOUNTS	TOTALS
AL TOWN 001	\$45,477.90
NG METER 002	\$0.00
ANCE 003	\$4,784.50
E ATHLETIC LEAGUE 004	\$0.00
CENTER 005	\$183.00
ATION PROGRAM 006	\$1,081.11
AY 111	\$2,597.03
112	\$37,712.68
R & MAINTENANCE 113	\$616.22
114	\$26,211.16
WASTE COLLECTION DIST. 115	\$9,079.78
T LIGHTING 116	\$139.00
C PARKING 117	\$430.96
BSS IMPROVEMENTS DISTRICT 118	\$137.31
TALIATION SELF INSURANCE 174	\$0.00
RETENTION 175	\$286.00
LOYMENT INSURANCE RESERVE 176	\$0.00
ST. REHAB 177	\$0.00
MTC REVOLVING LOAN 178	\$250.00
ENTIAL REHAB 179	\$37.00
ETIONARY/SMALL CITIES 180	\$400.00
CONSORTIUM ACCOUNT 181	\$11,526.25
DEVEL CORP WORKING 182	\$13,240.80
CONSORTIUM ACCOUNT 183	\$0.00
RE GRANT PROGRAM 184	\$80.00
C PARKING DEBT 381	\$6,762.75
DEBT 383	\$82,946.87
AL FUND DEBT SERVICE 384	\$29,676.63
NGER WASTE DISTRICT DEBT 385	\$0.00
HALL CAPITAL PROJECTS 406	\$41,594.00
HUNDRED SERIES 408	\$750.00
BARS 440	\$0.00
451	\$0.00
SERVICES 452	\$0.00
RS HELPING SENIORS 453	\$26.40
454	\$81.35
IPAL FUEL FUND 625	\$4,097.99
IPAL GARAGE 626	\$0.00
& AGENCY 735	\$0.00
AL TRUST 736	\$0.00
SCAVENGER WASTE 918	\$4,514.05
GRAND TOTAL	\$324,720.74

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, absent
The resolution was thereupon duly adopted.