

399 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER A PROPOSED LOCAL LAW ENTITLED "SOLID WASTE MANAGEMENT LAW OF THE TOWN OF RIVERHEAD"

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

RESOLVED, that the Town Clerk be and is hereby directed to publish and post the following public notice in the JULY 10, 1991, issue of the Suffolk County Life to consider a proposed local law entitled "Solid Waste Management Law of the Town of Riverhead":

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 23rd day of July, 1991, at 7:30 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider a proposed local law entitled "Solid Waste Management Law of the Town of Riverhead" as follows:

A LOCAL LAW REPEALING CHAPTER 103 OF THE RIVERHEAD TOWN CODE, "WASTE DISPOSAL ORDINANCE OF THE TOWN OF RIVERHEAD," ORDINANCE NUMBER 15, ADOPTED DECEMBER 16, 1975, AND REPLACING IT WITH A NEW CHAPTER 103, ENTITLED "SOLID WASTE MANAGEMENT LAW OF THE TOWN OF RIVERHEAD."

THE PROPOSED LOCAL LAW PROVIDES FOR THE MANAGEMENT, COLLECTION AND DISPOSAL OF ALL TYPES OF SOLID WASTE GENERATED IN THE TOWN OF RIVERHEAD IN ACCORDANCE WITH THE NEW YORK STATE SOLID WASTE MANAGEMENT ACT OF 1988, AND WITH ALL APPLICABLE PROVISIONS OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW PERTAINING TO SOLID WASTE MANAGEMENT, AND WITH ALL APPLICABLE RULES AND REGULATIONS PROMULGATED PURSUANT THERETO BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

MANDATORY SOURCE SEPARATION OF DESIGNATED HOUSEHOLD RECYCLABLES AND HOUSEHOLD HAZARDOUS WASTES WOULD BE CONTINUED UNDER THE PROPOSED LOCAL LAW. MANDATORY SOURCE SEPARATION OF DESIGNATED RECYCLABLES AT OFFICES AND BUSINESSES WOULD BE REQUIRED AS OF JANUARY 1, 1992.

THE PROPOSED LOCAL LAW ALSO REQUIRES THAT ALL SOLID WASTES GENERATED WITHIN THE TOWN BE DISPOSED OF AT OR DELIVERED TO SUCH FACILITY OR FACILITIES AS THE TOWN BOARD MAY DESIGNATE FOR THIS PURPOSE, IN ORDER TO CONTROL THE VOLUME AND NATURE OF THE TOWN'S SOLID WASTE STREAM TO ALLOW FOR THE PROPER PLANNING OF SOLID WASTE MANAGEMENT OVER AN EXTENDED PLANNING PERIOD. THE PROPOSED LOCAL LAW, IN CONJUNCTION WITH THE ESTABLISHMENT OF MUNICIPAL SOLID WASTE COLLECTION DISTRICTS, WOULD ALSO PROHIBIT SELF-HAULING OF WASTES TO ANY DESIGNATED DISPOSAL FACILITY BY RESIDENTS AND BUSINESSES.

THE PROPOSED LOCAL LAW WOULD GIVE THE TOWN BOARD THE AUTHORITY, UPON NOTICE AND HEARING, TO ESTABLISH BY DULY ADOPTED RESOLUTION, THE RATES CHARGED BY THE TOWN FOR DISPOSAL OF SOLID WASTES AT DESIGNATED DISPOSAL FACILITIES, AND TO ESTABLISH, BY DULY ADOPTED RESOLUTION, MAXIMUM COLLECTION RATES WHICH MAY BE CHARGED BY PRIVATE CARTERS TO THEIR COMMERCIAL CUSTOMERS (WHICH WILL NOT BE PROVIDED WITH MUNICIPALLY-CONTRACTED COLLECTION SERVICES UNDER THE PROPOSED MUNICIPAL COLLECTION DISTRICT PLAN.) THE PROPOSED LOCAL LAW ALSO PROVIDES FOR A PHASE-IN OF VOLUME-BASED COLLECTION AND DISPOSAL RATES FOR RESIDENTIAL AND COMMERCIAL GENERATORS, TO PROVIDE ECONOMIC INCENTIVES FOR HOUSEHOLDS AND BUSINESSES TO REDUCE THE VOLUME OF WASTES GENERATED, IN ORDER TO ACHIEVE NEW YORK STATE MANDATED WASTE REDUCTION GOALS.

THE PROPOSED LOCAL LAW ALSO ESTABLISHES NEW AND/OR MODIFIED REGULATIONS PERTAINING TO LICENSED CARTERS, UNAUTHORIZED USE OF DUMPSTERS, AND ILLEGAL DUMPING, AND ESTABLISHES PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.

Dated: Riverhead, New York
July 2, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.
the resolution was thereupon duly declared adopted.

ARTICLE III: COLLECTION PRACTICES FOR SOLID WASTES GENERATED AT RESIDENCES.

10-20. Source Separation Required.
10-21. Recyclables.
10-22. Yard Waste.
10-23. Household Hazardous Waste.
10-24. Other Materials.

Chapter 103

SOLID WASTE MANAGEMENT

Local Law

No. _____
1991

A LOCAL LAW CONCERNING THE REGULATION, COLLECTION, MANAGEMENT AND DISPOSAL OF SOLID WASTE IN THE TOWN OF RIVERHEAD.

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- 103-4. Definitions.
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ARTICLE III: COLLECTION PRACTICES: SOLID WASTE GENERATED AT RESIDENCES.

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at Non-Residences and Multiple Residences.
- 103-57. Penalties for Violations.

ARTICLE I

General Provisions

103-1. Title.

This Chapter shall be known as the "Solid Waste Management Law of the Town of Riverhead."

103-2. Legislative Intent.

The purpose of this Chapter is to protect and promote the health, safety and welfare of the residents of the Town of Riverhead, by controlling the storage, collection and disposal of solid waste generated within the town in the most economical and environmentally acceptable manner; to implement the Town of Riverhead Solid Waste Management Plan; to comply with the requirements and further the purposes of the New York State Solid Waste Management Act, the New York State Solid Waste Management Plan, and the requirements of the Long Island Landfill Law; to maximize reduction, re-use and recycling in the management of solid wastes generated in the Town of Riverhead; to minimize potential environmental impacts of wastes processed by or on behalf of the Town of Riverhead within or outside of the Town; and to protect the drinking water supply in the Town of Riverhead.

103-3. Repealer.

The "Waste Disposal Ordinance of the Town of Riverhead," adopted December 16, 1975 as Ordinance Number 15, and any subsequent amendments thereto, are hereby repealed. All rules, regulations of the Town of Riverhead or any agency, department or board thereof inconsistent herewith are hereby repealed as of the effective date of this local law.

103-4. Definitions.

The following definitions shall govern the interpretation of this local law, unless otherwise expressly provided herein:

(1) **ASH RESIDUE:** The solid residue resulting from the combustion of solid waste at a solid waste incinerator or waste-to-energy facility.

(2) **ASHES:** The noncombustible residue from the burning of combustible substances, including wood, coal, papers and refuse from structural fires.

(3) **BULK WASTE:** Nonputrescible items and materials, including appliances, household furnishings and all other items of solid waste larger than two by two by four feet or heavier than fifty (50) pounds.

(4) **CLEAN FILL:** Material consisting of concrete, steel, wood, sand, soil and material which is the end-product of a permitted composting facility.

(5) **COLLECTION VEHICLE:** Any vehicle licensed by the Town of Riverhead to operate commercially within the Town for the purpose of collecting and transporting solid waste, recyclables, liquid waste, sludge, ashes and any other waste material, except hazardous

waste as defined pursuant to regulations promulgated under the New York State Environmental Conservation Law and/or the Federal Resource Conservation Recovery Act.

(6) **COMPOSTING:** The aerobic, thermophilic decomposition of solid organic constituents of solid waste to produce a stable, humus-like material.

(7) **CONSTRUCTION AND DEMOLITION DEBRIS:** Solid waste resulting from the construction, remodeling, repair and demolition of structures and roads.

(8) **DESIGNATED RECYCLABLES:** Recyclables which have been designated by the Town Board or Sanitation Supervisor for separation from other solid wastes at the point or source of generation.

(9) **HAZARDOUS WASTE:** Waste defined as hazardous pursuant to regulations promulgated under the New York State Environmental Conservation Law and/or the Federal Resource Conservation Recovery Act.

(10) **HOUSEHOLD HAZARDOUS WASTES:** Waste which, but for its point of generation, would be a hazardous waste as defined by regulations promulgated pursuant to the New York State Environmental Conservation Law and/or the Federal Resource Conservation Recovery Act, including, but not limited to: pesticides, herbicides, fungicides, oil-based paints, varnishes, lacquer, wood stains, waste oils, degreasers, solvents, cleaning fluids, polishes, antifreeze, septic tank cleaners, waterproofing liquids and substances, lye, acid, inks, moth balls and flakes, and all containers used for storage of any of the hereinabove listed substances, household batteries and automobile batteries.

(11) **INDUSTRIAL WASTE:** Waste generated by manufacturing or industrial processes, including, but not limited to: fertilizer and agricultural chemicals; inorganic chemicals; organic chemicals; wastes produced in the manufacture of plastics and resins, pulp and paper, stone, glass, clay and concrete products, textiles, and electronics equipment and circuitry.

(12) **INFECTIOUS WASTE:** Waste defined as "infectious waste" by Section 360-1.2(b)(81) of Subpart 360-1 of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York, Part 360.

(13) **INSTITUTIONS:** Hospitals, schools, day-care centers, nursing homes, places of worship, not-for-profit recreational centers and facilities, camps, not-for-profit community centers, not-for-profit organizations and political subdivisions of the state or agencies and departments thereof.

(14) **INSTITUTIONAL WASTE:** Solid waste generated at institutions within the Town of Riverhead, excluding wastes defined herein as "hazardous waste" or "infectious waste."

(15) **LAND CLEARING DEBRIS:** Uncontaminated solid waste consisting of vegetation resulting from land clearing, utility line maintenance and seasonal and

storm-related clean-up within the Town of Riverhead.

(16) **LANDFILL:** A solid waste facility or part of one at which solid waste is intentionally placed in or on land. The words "Town Landfill" means the disposal facility located on Youngs Avenue in Riverhead, owned, maintained and operated by the Town of Riverhead for the disposal of solid waste, pursuant to the provisions of this Chapter.

(17) **LICENSE:** Due authorization in writing, pursuant to this Chapter, to provide solid waste services to residences and/or non-residences in the Town of Riverhead, including the operation of a collection vehicle or vehicles, as herein defined, within the Town of Riverhead.

(18) **MULTIPLE RESIDENCE:** Any building or parcel of land having more than two (2) dwellings, as defined in Section 108-3 of the Zoning Code.

(19) **NONRESIDENCE:** Any building or parcel of land not used as a residence or multiple residence as herein defined.

(20) **OWNER:** As used herein, the word "owner" includes any person who is a lessee, a purchaser under a reserve title contract, conditional sales contract or vendor's lien agreement, and any person who is entitled to obtain in his or her own name proper New York State registration of a vehicle.

(21) **PERSON:** Any individual, public or private corporation, partnership, unincorporated association, firm, trust, estate or any other legal entity.

(22) **RECYCLABLES:** Solid waste which exhibits the potential to be used repeatedly in place of a virgin material, including: newspapers and newsprint; corrugated paper; cardboard; paperboard; kraft quality paper; glass bottles, jars and containers; aluminum; ferrous metals; tin and bimetal; plastics; magazines and glossy papers; lumber; pallets; tires; and such other materials as the Town Board may by resolution designate.

(23) **RECYCLING CENTER:** Any structure or combination of structures, machinery and equipment, including yard waste and mixed waste composting facilities, owned or operated by or on behalf of the Town of Riverhead, or accepting solid wastes pursuant to a contract with or a permit from the Town of Riverhead, for the deposit, storage or processing of materials required by Sections 103-20 and 103-30 of this Chapter to be separated from other solid wastes at the source of generation.

(24) **RESIDENCE:** A building or parcel having one or two dwellings, as defined by Section 108-3 of the Zoning Code.

(25) **SLUDGE:** Any solid, semi-solid or liquid waste generated by a permitted wastewater treatment plant located within the Town of Riverhead, excluding the treated effluent from a wastewater treatment plant.

(26) **SOLID WASTE:** All putrescible and nonputrescible materials or substances that are discarded or rejected as being spent, useless, worthless or in excess to the owners at the time of such discard or rejection,

except septage, sewage and treated septage and sewage effluent and other highly-diluted water-carried materials or substances or those in gaseous form.

(27) **SOLID WASTE FACILITY:** Any structure or combination of structures, machinery and equipment owned or operated by or on behalf of the Town of Riverhead, or designated by a contract entered into between the Town of Riverhead and any person, firm or corporation, for the purpose of accepting solid waste generated within the Town of Riverhead, including a transfer station, as herein defined.

(28) **SOLID WASTE SERVICES:** The handling, removal, collection, storage or disposal of solid waste, including the placement or removal of containers for solid waste on or from sites within the Town not owned by the person placing or removing the containers, and the transporting of solid waste from or to any location within the Town.

(29) **STREET:** Any road, avenue, public thoroughfare or highway within the Town of Riverhead, whether or not owned or maintained by the Town of Riverhead.

(30) **TOWN:** All areas within the Town of Riverhead.

(31) **TOWN BOARD:** The Town Board of the Town of Riverhead.

(32) **TOWN CLERK:** The Town Clerk of the Town of Riverhead.

(33) **TRANSFER STATION:** Any structure or combination of structures, machinery, equipment and facilities used for the off-loading of solid waste from collection vehicles and the reloading of solid waste into vehicles for transportation to another facility.

(34) **YARD WASTE:** Plant material, including leaves, grass clippings, branches less than four (4) inches in diameter, brush, flowers and roots; debris commonly thrown away in the course of maintaining yards and gardens, including sod and rocks not more than four (4) inches in diameter; and biodegradable waste approved for the yard waste composting program by the Town Board or the Sanitation Supervisor. Yard waste shall not include: food waste; plastics and synthetic fibers; lumber; wood waste or tree limbs which exceed four (4) inches in diameter or four (4) feet in length; or soil contaminated by hazardous waste or household hazardous waste products.

103-5. Dumping Prohibited.

A. It shall be unlawful for any person to throw or deposit solid waste on any street or public highway, sidewalk, public place or public facility, or to throw, deposit or bury solid waste on any land in public ownership, except at a duly authorized solid waste facility or recycling center.

B. It shall be unlawful for any person to throw, deposit or bury solid waste on any vacant land or other parcel of land in private ownership in the Town of Riverhead, except in accordance with the

provisions of this Chapter and unless a Solid Waste Management Facility Permit has been issued for such land by the New York State Department of Environmental Conservation.

C. It shall be unlawful for any person to deposit solid waste in any container placed on private property for the storage of solid waste pursuant to a contract between the owner or occupant of said property and a person licensed to provide solid waste services by the Town of Riverhead. This prohibition shall not apply to the owner or occupant of said property or his or her employees or agents. Nothing in this section shall be construed to prohibit the deposit of solid waste in containers or receptacles placed by the owner or occupant of private property in commercial use for the deposit of litter by members of the public invited onto such property for commercial purposes.

D. It shall be unlawful for any owner, lessee, tenant, occupant or person having the management or control of any lot or parcel of land in the Town of Riverhead, except as herein provided or as may be designated or permitted by the Town Board, to deposit, bury, accumulate or allow or cause to be deposited, buried or accumulated, any solid waste upon such lot or parcel of land, except in accordance with the provisions of this Chapter.

E. A violation of this Section shall be punishable by a penalty of not less than Two Hundred Fifty (\$250.00) Dollars.

103-6. Unauthorized Incineration of Solid Waste.

A. It shall be unlawful for any person to incinerate or burn any solid waste within the Town of Riverhead without having first obtained the appropriate permits from the Town Board and the New York State Department of Environmental Conservation, as applicable.

103-7. Storage of Solid Waste.

A. No person shall store, or cause or allowed to be stored, solid waste within the Town except in enclosed metal or plastic containers.

103-8. Disposal of Solid Waste.

A. License Required. No person shall deposit solid waste at any solid waste facility or recycling center without having first obtained the appropriate license or permit to deposit solid waste at such facility and/or paid the disposal fee(s) required by this Chapter.

C. It shall be unlawful for any person to dispose of solid waste collected or generated outside of the Town at any solid waste facility or recycling center within the Town, except as may be authorized by a special permit of the Town Board.

D. It shall be unlawful for any person to dispose of solid waste, including recyclables, yard wastes and other wastes, collected or generated in the Town at

any solid waste facility or recycling center, except those designated by the Town Board.

103-9. Disposal Methods.

A. Solid waste generated within the Town shall be disposed of only at such duly permitted solid waste facilities or recycling centers as may be designated by the Town Board for this purpose.

B. It shall be unlawful for any person to transport, carry or convey solid waste collected or generated outside the Town over any public highways within the Town of Riverhead or to deliver same to solid waste facility or recycling center, except as may be authorized by a special permit of the Town Board or by a contract entered into by the Town.

C. It shall be unlawful for any person to place hazardous wastes, including household hazardous wastes, out for collection by a person not licensed to collect, transport and/or dispose of hazardous wastes.

103-10. Severability.

If any term, part, provision, section, subdivision or paragraph of this local law shall be held unconstitutional or ineffective, in whole or in part, then, to the extent that it is not unconstitutional or ineffective, this local law and such term, part, provision, section, subdivision or paragraph thereof shall be in full force and effect; and such determination shall not be deemed to invalidate the remaining terms, parts, provisions, sections, subdivisions or paragraphs thereof.

103-11. Effective date.

This local law shall take effect thirty days after filing with the Secretary of State.

[Sections 103-12 through 103-14, inclusive, have been reserved for future use.]

ARTICLE II

WASTE DISPOSAL IN THE TOWN OF RIVERHEAD

103-15. Restrictions on Waste Disposal in the Town of Riverhead.

On or after the effective date of this Article, the following shall be prohibited from disposal at any solid waste facility, except at such facilities designated by the Town Board for the collection, storage and disposal of the following designated materials as herein provided:

- (1) hazardous waste, including household hazardous waste;
- (2) infectious waste;
- (3) ash and ash residue;
- (4) sludge;
- (5) liquid effluent of any wastewater treatment facility;

- (6) animal or human excrement;
 (7) recyclables;
 (8) yard wastes;
 (9) construction and demolition debris;
 (10) land clearing debris;
 (11) tires;
 (12) bulk wastes;
 (13) industrial waste;
 (14) vehicles or vehicle parts;
 (15) dead animals.

103-16. Penalties for Violations.

A. On or after the effective date of this Article, any person who deposits any of the materials prohibited by Section 103-15 hereof at any solid waste facility, except as herein provided, shall be guilty of a violation and subject to a civil penalty of not less than One Hundred (\$100) Dollars for the first violation, Two Hundred (\$200) Dollars for the second violation, and Five Hundred (\$500) Dollars for each subsequent violation.

B. On or after the effective date of this Article, the owner or operator of any collection vehicle which delivers for deposit or disposal at any solid waste facility, except as herein provided, solid waste which contains any of the materials prohibited by Section 103-15 hereof shall be guilty of a violation and subject to a penalty of not less than Two Hundred Fifty (\$250) Dollars for the first violation and not less than Five Hundred (\$500) Dollars for the second and each subsequent violation.

C. The owner or operator of any collection vehicle(s) who has violated the provisions of this Article three (3) times within any eighteen (18) month period shall have its license or licenses to collect and/or dispose of solid waste in the Town of Riverhead suspended for a period of not less than thirty (30) days. Any subsequent violation of this article by such person shall result in the automatic suspension of such license for a period of not less than sixty (60) days. In the event of any further subsequent violation(s) of this Article, such person's license or licenses to collect and/or dispose of solid waste in the Town of Riverhead shall be subject to revocation.

D. In the event that a violation of the provisions of this Article is committed by a person authorized to collect and dispose of solid waste in the Town of Riverhead pursuant to a contract with the Town of Riverhead or any agency, department or authority of the Town of Riverhead, such contract shall be subject to termination by the Town or such agency, department or authority.

103-17. Enforcement of Restrictions on Waste Disposal.

A. The Sanitation Supervisor, and/or his or her agents, employees or designees, are hereby empowered to inspect all solid waste transported into any solid waste

facility, determine that such solid waste does not contain any of the materials prohibited from disposal at such solid waste facility pursuant to this Article.

B. Upon a determination by the Sanitation Supervisor, or his or her agent, employee or designee that such solid waste contains materials prohibited hereby, such waste shall be refused for deposit at such solid waste facility and the operator of the vehicle transporting such waste shall be directed to remove the entire contents of his or her vehicle from the facility.

C. The Sanitation Supervisor, and/or his or her duly authorized agents are hereby empowered to issue a Notice of Violation to any person transporting wastes prohibited by this Article into any solid waste facility for deposit therein, except as herein provided. In the case of a collection vehicle transporting wastes prohibited for disposal by this Article, into any solid waste facility which is not designated to accept such wastes, such Notice of Violation shall be issued to the person who is the owner of said vehicle.

103-18. Disposal of Certain Designated Wastes.

Materials which, pursuant to Sections 103-20 and 103-30 of this Chapter, must be separated at the source of generation, shall only be disposed of or deposited at such facilities as the Town Board may, from time to time, designate. Such materials brought for disposal or deposit at such designated facilities shall not be mixed or co-mingled with any other materials which such facilities are not designated to accept.

[Section 103-19 reserved for future use.]

**ARTICLE III
 COLLECTION PRACTICES:
 SOLID WASTE GENERATED AT RESIDENCES**

103-20. Source Separation Required.

A. Materials to be separated. As of January 1, 1991, all residents of the Town, including the occupants of multiple residences as defined herein, shall separate the following materials from all other solid waste placed out for collection or transported into a solid waste facility or recycling center for deposit:

- | | |
|---|--|
| wastes;

by the Town Board;

demolition debris; | (1) household hazardous
(2) recyclables designated
(3) yard wastes;
(4) construction and
(5) land clearing debris;
(6) bulk wastes;
(7) tires;
(8) human and animal |
|---|--|
- excrement.

B. It shall be unlawful for any person to place out for collection any container containing solid waste mixed with any of the materials listed in subdivision (A) hereof.

C. It shall be unlawful for any person to collect from a residence or multiple residence solid waste mixed with any of the materials listed in subdivision (A) hereof.

D. Any person who violates the provisions of subdivision (B) hereof shall be subject to a civil penalty of not less than Fifty (\$50) Dollars for each such violation.

103-21. Recyclables.

A. The owners or occupants of all residences and multiple residences within the Town shall separate all recyclables designated by the Town Board from all other solid wastes and place such designated recyclables in a separate, covered container at curbside for collection on such day or days as the Town Board may designate for collection by the Town or its duly authorized contractor. The owner(s) of multiple residences, as herein defined, shall provide for the use of occupants thereof such containers for the deposit and storage of designated recyclables by said occupants, as the Town Board or Sanitation Supervisor shall direct.

(1) All recyclables shall be clean, dry and, in the case of designated recyclable containers and cans, the contents removed therefrom.

(2) Caps and rings shall be removed from glass and plastic containers.

(3) Newspapers and corrugated cardboard, if designated by the Town Board for separation, shall be tied separately from other recyclables and placed on top of or next to the recyclables collection container. Other papers, including glossy papers, shall not be mixed with newspapers. If other papers and other types of cardboard are designated as recyclables by the Town Board, they shall also be separately tied or bundled separately.

(4) Title to and ownership of recyclables set out for collection in the public right of way shall thereupon vest in the Town. It shall be unlawful for a person to collect, remove or dispose of recyclables which are the property of the Town without first having obtained the written authorization of the Town to do so, and without first having obtained the license required by this Chapter. Persons who collect or remove recyclables owned by the Town shall deliver and dispose of same at such location as the Town Board shall direct.

103-22. Yard Wastes.

A. The owners or occupants of all residences and, where applicable, multiple residences within the Town shall separate all yard wastes as herein defined from all other solid waste and shall place same at curbside for collection on such day or days as the Town Board may designate for collection by the Town

or its duly authorized contractor. Such wastes shall be placed out for collection in such a manner so as not to impede the flow of vehicular or pedestrian traffic on public streets and sidewalks, and shall be placed in such containers as the Town Board or the Sanitation Supervisor shall may authorize.

103-23. Household Hazardous Wastes.

A. Household hazardous wastes as herein defined shall be separately stored by all owners or occupants of residences and multiple residences in the Town and shall not be mixed in any container with any other solid wastes placed out for collection or transported to a solid waste facility or recycling center or deposit thereat.

B. Unless otherwise provided by resolution of the Town Board or pursuant to a solid waste collection contract entered into by the Town, it shall be the responsibility of every resident of the Town to transport all household hazardous wastes to the Town's facility for the collection and storage of household hazardous wastes at the Youngs Avenue solid waste facility, and to dispose of such wastes at said facility on such days and at such times as the Town Board may designate, upon payment of the disposal fee required by this Chapter.

103-24. Other Materials.

All other materials required by this Article to be separated from other solid wastes prior to collection or delivery to a solid waste facility or recycling center shall be disposed of in such manner as the Town Board or the Sanitation Supervisor prescribe, including: construction and demolition debris; land clearing debris; bulk wastes; tires; and human and animal excrement.

[Sections 103-25 through 103-29, inclusive, have been reserved for future use.]

ARTICLE IV COLLECTION PRACTICES SOLID WASTE GENERATED AT NON-RESIDENCES

103-30. Source Separation Required.

A. Materials to be separated. As of January 1, 1992, all owners, lessees, tenants and other occupants of non-residences in the Town, shall separate the following materials from all other solid waste placed out for collection or transported to a solid waste facility or recycling center for deposit thereat:

- | | | |
|--------------------|-----|------------------------|
| | (1) | hazardous wastes; |
| | (2) | recyclables designated |
| by the Town Board; | (3) | yard wastes; |
| | (4) | construction and |
| demolition debris; | (5) | land clearing debris; |
| | (6) | bulk wastes; |
| | (7) | tires; |
| | (8) | human and animal |
| excrement; | | |

(9) infectious wastes.

B. It shall be unlawful for any person to place out for collection any solid waste mixed with any of the materials listed in subdivision (A) hereof.

C. It shall be unlawful for any person to collect from a non-residence solid waste mixed with any of the materials listed in subdivision (A) hereof.

D. Any person who violates the provisions of subdivision (B) hereof shall be subject to a civil penalty of not less than One Hundred (\$100) Dollars for each such violation.

103-31. Recyclables.

A. The owners, lessees, tenants or other occupants of all non-residences within the Town shall separate all recyclables designated by the Town Board from all other solid wastes and shall place such designated recyclables in a separate, covered container for collection by the provider of solid waste services on such day or days as the provider of solid waste services shall designate for collection of recyclables.

(1) All recyclables shall be clean, dry and, in the case of designated recyclable containers and cans, the contents removed therefrom.

(2) Caps and rings shall be removed from glass and plastic containers.

(3) Newspapers shall be tied separately from other recyclables prior to being placed out for collection. Other papers, including glossy papers, shall not be mixed with newspapers. If other papers are designated as recyclables by the Town Board, they shall also be separately tied or bundled.

(4) Corrugated, cardboard and paperboard boxes and containers shall be flattened and bundled separately from other recyclables.

103-32. Yard Wastes.

A. The owners, lessees, tenants or occupants of all non-residences within the Town shall separate all yard wastes as herein defined from all other solid waste and shall place same at curbside for collection on such day or days as the Town Board may designate for collection by the Town or its duly authorized contractor. Such wastes shall be placed out for collection in such a manner so as not to impede the flow of vehicular or pedestrian traffic on public streets and sidewalks, and shall be placed in such containers as the Town Board or the Sanitation Supervisor shall authorize.

103-33. Hazardous Wastes.

A. Hazardous wastes and infectious wastes as herein defined shall be separately and safely stored by all owners or occupants of non-residences in the Town and shall not be mixed in any container with any other solid wastes placed out for collection or transported to a solid waste facility or recycling center for deposit thereat.

B. It shall be the responsibility of every owner, lessee, tenant or other occupant of a non-residence to contract with a person who is duly authorized by law to collect and dispose of such wastes for the collection, transport and disposal of all such wastes generated on or at such non-residential premises.

C. Each violation of this section shall be punishable by a civil penalty of not less than Five Hundred (\$500) Dollars.

103-34. Other Materials.

All other materials required by this Article to be separated from other solid wastes prior to collection or delivery to a solid waste facility or recycling center shall be disposed of in such manner as the Town Board or the Sanitation Supervisor shall prescribe, including: construction and demolition debris; land clearing debris; bulk wastes; tires; and human and animal excrement.

[Sections 103-35 through 103-39, inclusive, have been reserved for future use.]

ARTICLE V LICENSE AND PERMIT REQUIREMENTS

103-40. Licenses or Permits Required.

A. Except as otherwise provided by this Article, it shall be unlawful for any person to collect or remove solid waste of any kind from the premises of any person, or transport same through or upon any street or public highway in the Town of Riverhead, without first having obtained the appropriate license or permit from the Town Clerk as herein provided.

B. Classification of licenses and permits. Licenses and permits issued by the Town Clerk shall be classified as follows:

(1) Class 1 License: required of all persons who are engaged in the business of collecting or removing solid waste from premises defined herein as non-residences, including any person who collects or removes solid waste from non-residence premises which he or she does not own, lease or occupy, whether or not such person is engaged in the business of collecting or removing solid waste.

(2) Class 2 License: required of all persons who are engaged in the business of collecting or removing solid waste from premises defined herein as residences.

(3) Class 3 License: required of all persons who collect or remove from any premises in the Town of Riverhead any of the following materials, as herein defined: construction and demolition debris; land clearing debris; tires; bulk waste. A Class 3 License shall not be required if such person removes such materials from premises which he or she owns, leases or occupies.

(4) Class 4 License: required of all persons who collect or remove from any premises in the Town of Riverhead any

of the following materials: hazardous waste; household hazardous waste; infectious waste; ash or ash residue. A Class 4 License shall not be required, however, if such person, pursuant to a contract entered into with the Town of Riverhead, collects or removes household hazardous waste from any household hazardous waste storage facility owned or operated by or on behalf of the Town of Riverhead.

(5) Class 5 License: required of all persons who are engaged in the business of landscaping who bring landscaping materials, limited to yard waste as herein defined, to a solid waste facility or recycling center owned or operated by or on behalf of the Town of Riverhead.

(6) Class 6 License: required of all persons engaged in the business of agriculture, or the duly authorized employees or agents thereof, who bring, on and after January 1, 1992, solid waste generated on premises in active agricultural production, whether generated in the course of such agricultural production or in residences located on such premises, to any solid waste facility or recycling center owned or operated by or on behalf of the Town.

(7) Resident Permit: required of any resident, defined as a person who dwells in a residence, as herein defined, in the Town of Riverhead, including persons who inhabit dwelling units in multiple residences, as herein defined, in the Town of Riverhead, if such resident collects or removes solid waste from the premises he or she owns or occupies, or transports solid waste on or through any street or public highway, or delivers such solid waste for deposit or disposal at any disposal facility owned or operated by or on behalf of the Town of Riverhead. This classification shall be in effect until December 31, 1991, after which no Resident Permits shall be issued or effective.

(8) Business Permit: required of any owner or operator of any business or non-residence, as herein defined, in the Town of Riverhead, who removes solid waste from his or her business or non-residence premises, or transports solid waste on or through any street or public highway, or delivers such solid waste for deposit or disposal at any disposal facility operated by or on behalf of the Town of Riverhead. This classification shall be in effect until December 31, 1991, after which no Business Permits shall be issued or effective.

(9) Roll-off and Container Permit Decals: required of any person, firm or corporation engaged in the business of collecting, removing and/or transporting solid waste generated in the Town, including designated recyclables, from residences and non-residences, for each roll-off or other container used on such non-residence premises for the storage of solid waste or recyclables placed out for collection by the occupant(s) of such premises.

(10) Vehicle Permit Decals: required of any person, firm or corporation engaged in the business of collecting or removing solid waste, including designated recyclables, from residences and non-residences, for each vehicle, including trucks, wagons, trailers and other conveyances used in such business for collecting and/or transporting solid waste, including designated recyclables.

C. Any person who violates the requirement of paragraph (A) hereof shall be subject to the following penalties, determined according to the classification of license or permit required for the activity undertaken without the appropriate license or permit, including persons operating with an expired, suspended or revoked license or permit:

(1) Class 4 License: penalty not less than One Thousand (\$1,000) Dollars;

(2) Class 1, 2 or 3 License: penalty not less than Five Hundred (\$500) Dollars;

(3) Class 5 or 6 License and Business Permit: penalty not less than Two Hundred, Fifty (\$250) Dollars;

(4) Resident Permit: penalty not less than One Hundred Fifty (\$150) Dollars.

(5) Vehicle Permit Decals: penalty not less than One Hundred (\$100) Dollars.

(6) Roll-off and Container Permit Decals: penalty not less than One Hundred (\$100) Dollars.

Each removal of solid waste from any premises, or each incidence of transporting solid waste on or through any street or public highway, or each delivery of solid waste for deposit or disposal at a disposal facility owned or operated by or on behalf of the Town of Riverhead, in violation of the license or permit requirements of this section shall constitute a separate violation subject to the penalties herein provided.

103-41. License and Permit Fees.

A. Class 1 and 2 Licenses. The annual fees for Class 1 and 2 Licenses shall be Two Hundred Fifty (\$250) Dollars, plus Fifty (\$50) Dollars per vehicle, including trucks, wagons, trailers and other conveyances used by the licensee in the removal and/or collection of solid waste. Until January 1, 1992, the holder of a valid Class 1 License shall not be required to pay an additional annual fee to obtain a Class 2 License.

B. Class 3 Licenses. The annual fee for a Class 3 License shall be Two Hundred Fifty (\$250) Dollars, plus Fifty (\$50) Dollars per vehicle, truck, trailer, wagon or conveyance used by the licensee in the removal and/or collection of the materials for which a Class 3 License is required. The holder of a valid Class 1 License shall receive an abatement of fifty (50%) of the annual fee for a Class 3 License.

C. Class 4 License. The annual fee for a Class 4 License shall be Five Hundred (\$500) Dollars, plus One Hundred (\$100) Dollars per vehicle, truck, trailer, wagon or conveyance used by the licensee in the removal and/or collection of the materials for which a Class 4 License is required.

D. Class 5 License. The annual fee for a Class 5 license shall be One Hundred (\$150) Dollars.

E. Class 6 License. The annual fee for a Class 6 license shall be One Hundred (\$100) Dollars.

F. Resident Permit. The annual fee for a Resident Permit shall be Fifty (\$50) Dollars.

G. Business Permit. The annual fee for a Business Permit shall be One Hundred (\$100) Dollars.

H. Roll-off and Container Permit Decals. The annual fee for a roll-off or container permit decal shall be Five (\$5) Dollars.

103-42. Resident and Business Permit Requirements.

A. No permit shall be issued by the Town Clerk unless the applicant therefor can establish to the satisfaction of the Town Clerk that he or she is a permanent or seasonal resident of the Town of Riverhead, if the applicant requests a Resident Permit, or that he or she owns, leases or otherwise occupies a business or non-residence in the Town of Riverhead, if the applicant requests a Business Permit.

B. The Town Clerk shall issue one (1) vehicle sticker to each permittee for a vehicle registered in the name of such permittee, which shall, when permanently affixed to said vehicle, constitute evidence of such permit and thereby authorize said permittee to remove solid waste from his or her premises, and/or transport same on or through any street or public highway, and/or deliver same for deposit or disposal at any disposal facility operated by or on behalf of the Town of Riverhead. Vehicle stickers so issued shall be permanently affixed to the authorized vehicle in such manner as the Town Board or Sanitation Supervisor shall prescribe.

C. Permits and vehicle stickers shall be non-transferrable.

D. Permittees shall comply with the applicable provisions of this Chapter and with such instructions as the Sanitation Supervisor or his or her designees may require for the deposit or disposal of solid waste at any disposal facility owned or operated by or on behalf of the Town of Riverhead.

E. All vehicles used by permittees for the transportation of solid waste on or through any street or public highway in the Town of Riverhead shall be covered or equipped such that no solid waste shall blow, leak or spill from such vehicle onto any street or public highway.

103-43. License Application Requirements.

A. Application; form. Each applicant for a license shall accurately complete a license application in such form as provided by the Town Clerk.

B. Application Fees. Each new application for a license, except Class 5 and 6 Licenses, shall be accompanied by an application fee of Fifty (\$50) Dollars, payable to the Town Clerk. Each new application for a Class 5 or 6 License shall be accompanied by an application fee of Twenty-five (\$25) Dollars, payable to the Town Clerk.

C. Fingerprints. Each applicant for a license, other than a Class 5 or 6 License, shall furnish the Town Clerk with a full set of his or her fingerprints, together with his or her written authorization for a full search and return from the New York State Division of Criminal Justice Services. If an applicant is a partnership, a full set of fingerprints of all general partners shall be submitted. If an applicant is a corporation, a full set of fingerprints of the corporation's president, treasurer and, if any, chief executive officer, shall be submitted. If the applicant corporation is a privately-held corporation, a full set of fingerprints of any person owning more than twenty-five (25%) of the issued and outstanding shares of stock of such corporation shall also be submitted. If any applicant is required hereby to submit more than one (1) full set of fingerprints with such application, the applicant shall pay to the Town Clerk all charges imposed by the New York State Division of Criminal Justice Services for a full search and return on such additional set(s) of fingerprints.

D. Each applicant for a license, except for a Class 3, 5, and 6 Licenses, shall submit to the Town Clerk a list of all customers to be served in the town of Riverhead, including customer name, street number and name, and post office.

E. Each applicant for a Class 4 License shall submit satisfactory proof upon application that he or she has all licenses and/or permits required by all other applicable government authorities for the collection, transportation and disposal of the materials for which a Class 4 License is required. Each such applicant shall also file with the Town Clerk the name, location and applicable permit number of every disposal facility to which such materials collected in the Town of Riverhead shall be delivered.

103-44. License Requirements.

A. No license shall be issued to any applicant if the owner, partner, officer, or principal shareholder of such applicant has been convicted of a misdemeanor or felony which renders the applicant unfit to hold the license sought.

B. Every licensee shall obtain vehicle permit decals for each and every

vehicle to be used in the Town of Riverhead for the collection, removal, transportation and/or disposal of solid waste, including recyclables, in the Town. Every licensee shall obtain a roll-off and container permit decal for each roll-off or container used by such licensee for the collection and storage of solid waste.

C. Every Class 1 licensee shall provide separate collection of source-separated, designated recyclables for all non-residence customers on and after January 1, 1992. No Class 1 licensee shall remove or collect solid waste which contains designated recyclables mixed therewith.

D. Every Class 4 licensee shall comply with all applicable safety regulations for the collection, transportation and disposal of the materials for which a Class 4 license is required. Class 4 licensees shall also file with the Town Clerk notification of any change in the disposal facility information required as a part of said licensee's original or renewal application. No Class 4 licensee shall transport, deliver, deposit for disposal, or dispose of such materials to or at any location or facility other than one duly permitted or licensed for the collection, storage or disposal of such materials by the applicable government authority.

E. All vehicles used by every licensee shall be covered or so equipped such that solid waste shall not blow, spill or leak onto any street or public highway in the town during the removal, collection or transportation of such wastes upon the streets or public highways.

F. Every licensee shall promptly pay all disposal fees assessed by the Town of Riverhead or its agents for the disposal of solid waste at any facility owned or operated by or on behalf of the Town of Riverhead. A licensee's failure to pay such fees within thirty (30) days of the date same become due and payable shall result in the automatic suspension, upon notice, of said license, which suspension shall remain in effect until all such past-due balances are paid in full.

G. Every license, vehicle permit decal and roll-off or container permit decal issued hereunder shall be non-transferrable.

H. Roll-off and container permit decals shall only be issued to duly qualified licensees pursuant to the provisions of this Article.

I. Every licensee shall deliver all solid waste generated in the Town of Riverhead and collected by such licensee in the Town to such solid waste facility or facilities as directed by the Town Board or the Sanitation Supervisor.

103-45. Penalties for Violations.

Except as otherwise provided herein, each violation of any provision of this Article may be punishable by a penalty of not less than Two Hundred, Fifty (\$250) dollars,

and/or the suspension or revocation of license.

[Sections 103-46 through 103-49, inclusive, have been reserved for future use.]

ARTICLE VI COLLECTION AND DISPOSAL FEES

103-50. Self-haulers.

A. Definitions. For the purposes of this Article, the following words and phrases shall have the following meanings:

(1) "Self-hauler" shall mean a person who holds a valid Resident Permit or Business Permit and who removes solid waste from premises owned, leased or otherwise occupied by him or her, which said solid waste was generated by residents of such premises or by such permittee's own business conducted on such premises, and transports and delivers said solid waste to a solid waste facility or recycling center, for the purpose of depositing or disposing of such solid waste thereat.

(2) "Self-hauled waste" shall mean solid waste transported and delivered, by a self-hauler, to a solid waste facility or recycling center for deposit or disposal thereat.

B. Limitation. After December 31, 1991, no self-hauled waste, as herein defined, shall be accepted for deposit or disposal at any solid waste facility or recycling center.

C. Disposal Fees. Disposal fees for self-hauled waste accepted at a solid waste facility or recycling center shall be established and/or amended by duly adopted resolution of the Town Board.

D. Payment of Disposal Fees.

(1) Payment of self-hauler disposal fees shall be made directly to the Town Clerk, who, upon receipt of the requisite fee, shall issue to the payor a coupon authorizing entry to a solid waste facility or recycling center.

(2) No disposal fees shall be paid or accepted, nor shall any disposal coupons be issued at any solid waste facility or recycling center.

(3) No vehicle shall gain entry to a solid waste facility or recycling center unless the operator thereof presents to the gate attendant or other authorized personnel the appropriate type of disposal coupon.

103-51. Disposal Fees for Solid Waste Collected at Residences.

A. Fees for disposal of solid waste collected at residences and multiple residences by persons licensed to collect solid waste in the Town of Riverhead and delivered for deposit or disposal at a solid waste facility or recycling center shall be established and/or amended by duly adopted resolution of the Town Board, in accordance with the following classifications:

(1) a flat fee per ton for solid waste which consists of materials other than designated recyclables, yard waste, bulk waste, and household hazardous waste.

(2) a flat fee per item of bulk waste;

(3) a flat fee per ton for designated recyclables which are not mixed with any other materials;

(4) a flat fee per ton or cubic yard for yard wastes;

(5) a flat fee per ton of household hazardous wastes;

(6) a flat fee per ton of construction and demolition debris;

B. Each vehicle operated by a person licensed to collect solid waste from residences and multiple residences in the Town of Riverhead shall, upon entry to the solid waste facility or recycling center, proceed directly to the vehicle scale at such facility, where the contents of such vehicle shall be weighed by the operator of said scale.

C. Payment of all disposal fees shall be made to the Riverhead Town Receiver of Taxes promptly upon receipt of an invoice therefor. There shall accrue interest at the rate of one (1%) percent per month on all balances which have not been paid within thirty (30) days from the date of such invoice.

103-52. Disposal Fees for Solid Waste Collected at Non-Residences.

A. Fees for disposal of solid waste collected at non-residences by persons licensed to collect solid waste in the Town of Riverhead and delivered for deposit or disposal at a solid waste facility or recycling center shall be established and/or amended by duly adopted resolution of the Town Board, in accordance with the following classifications:

(1) a flat fee per ton for solid waste which consists of materials other than designated recyclables, yard waste, bulk waste, and household hazardous waste.

(2) a flat fee per item of bulk waste;

(3) a flat fee per ton for designated recyclables which are not mixed with any other materials;

(4) a flat fee per ton or cubic yard for yard wastes;

(5) a flat fee per ton of household hazardous wastes;

(6) a flat fee per ton of construction and demolition debris;

B. Each vehicle operated by a person licensed to collect solid waste from non-residences in the Town of Riverhead shall, upon entry to the solid waste facility or recycling center, proceed directly to the vehicle scale at such facility, where the

contents of such vehicle shall be weighed by the operator of said scale.

C. Payment of all disposal fees shall be made to the Riverhead Town Receiver of Taxes promptly upon receipt of an invoice therefor. There shall accrue interest at the rate of one (1%) percent per month on all balances which have not been paid within thirty (30) days from the date of such invoice.

103-53. Disposal Fees for Landscaping Materials.

A. Disposal fees for landscaping materials, limited to yard wastes, delivered by the holder of a Class 5 License to a solid waste facility or recycling center, shall be established and/or amended by duly adopted resolution of the Town Board.

103-54. Disposal Fees for Class 6 Licensees .

A. Effective January 1, 1992, disposal fees due from holders of Class 6 licenses shall be established and/or amended by duly adopted resolution of the Town Board.

B. Effective January 1, 1993, disposal fees due from holders of Class 6 licenses shall be established and/or amended by duly adopted resolution of the Town Board., in accordance with the following classifications:

(1) flat fee per 20 gallon container or bag containing solid waste, not to exceed 50 pounds in weight;

(2) flat fee per 32 gallon container or bag containing solid waste, not to exceed 65 pounds in weight;

(3) flat fee per pre-paid sticker, for disposal of one (1) item of bulk waste;

(4) per 32 gallon container, or equivalent, containing waste classified as household hazardous waste.

(5) flat fee per pound of solid waste other than waste defined herein as bulk waste which, because of its size or composition, cannot be placed in a container or bag;

(6) flat fee per 20 gallon container or bag containing designated recyclables only, not to exceed 40 pounds in weight;

(7) flat fee per 32 gallon container or bag containing designated recyclables only, not to exceed 65 pounds in weight.

103-55. Collection Fees for Solid Waste Generated at Residences.

A. On and after the effective date of this local law, and/or until such time as municipal solid waste collection districts may be established in the Town of Riverhead, collection fees for solid waste generated at residences in the Town of Riverhead and collected by persons licensed to collect such waste pursuant to the provisions

of this Chapter shall be established and/or amended by duly adopted resolution of the Town Board.

B. On and after the effective date of municipal solid waste collection districts in the Town of Riverhead, the collection rates for premises included within such districts shall be established and amended by the Town Board pursuant to the provisions of the local law establishing such districts, and shall be, in accordance with the provisions of same, assessed against all premises included within such districts. Each such premises shall be entitled to place out for collection, the cost of which shall be included in such assessment, the following volumes and types of waste per week (unless otherwise specified), per dwelling unit on such premises:

- (1) four 32 gallon containers or bags containing non-recyclable solid wastes;
- (2) two 20 gallon containers or bags containing designated recyclables only;
- (3) newspapers, corrugated cardboard and paperboard bundled and tied separately;
- (4) leaves, grass clippings and other yard wastes, not to exceed three cubic yards;
- (5) one 20 gallon sealed container of household hazardous waste per month;
- (6) items of bulk waste to be removed by appointment only.

C. On and after January 1, 1993, or one year after the establishment of municipal solid waste collection districts in the Town of Riverhead, whichever is later, the collection rates for premises included within such districts shall be established and amended by the Town Board pursuant to the provisions of the local law establishing such districts, and shall be, in accordance with the provisions of same, assessed against all premises included within such districts. Each such premises shall be entitled to place out for collection, the cost of which shall be included in such assessment, the following volumes and types of waste per week (unless otherwise specified), per dwelling unit on such premises:

- (1) three 32 gallon containers or bags containing non-recyclable solid wastes;
- (2) two 20 gallon containers or bags containing designated recyclables only;
- (3) newspapers, corrugated cardboard and paperboard bundled and tied separately;
- (4) leaves, grass clippings and other yard wastes, not to exceed three cubic yards;

(5) one 20 gallon sealed container of household hazardous waste per month;

(6) items of bulk waste, to be removed by appointment only.

D. On and after January 1, 1993, the occupants of premises within such districts who have wastes to dispose of in excess of the volume limitations provided in Paragraph C hereof shall purchase and affix to the containers or bags in which such excess wastes are placed, stickers authorizing the collection of such containers or bags by the provider of solid waste collection services within such districts. No wastes in excess of the volume limitations provided in Paragraph C hereof shall be placed out for collection by occupants of such premises or collected by the provider of solid waste collection services within such districts unless a sticker authorizing the collection of such wastes is affixed to the container or bag in which such wastes are placed. No items of waste of a type or nature not specified in Paragraph C hereof shall be placed out for collection or collected within such districts unless such items have affixed thereto a sticker authorizing the collection thereof.

(1) The waste collection authorization stickers required by this section shall be available for purchase by residents of the Town at the Office of the Town Clerk and at such other locations as the Town Board may, from time to time, designate.

(2) Fees for such waste collection authorization stickers shall be established and/or amended by duly adopted resolution of the Town Board, in accordance with the following schedule:

- (a) a flat fee per 20 gallon container or bag of nonrecyclable solid waste;
- (b) a flat fee per 32 gallon container or bag of nonrecyclable solid waste;
- (c) a flat fee per one item of bulk waste;
- (d) 20 gallon container of household hazardous waste;
- (e) 20 gallon container or bag of designated recyclables.

103-56. Collection Fees for Solid Waste Generated at Non-Residences and Multiple Residences.

A. On and after January 1, 1992, collection fees for solid waste generated at non-residences in the Town of Riverhead and collected by persons licensed to collect such waste pursuant to this Chapter shall be established and/or amended by duly adopted resolution of the Town Board, in accordance with the following schedule:

- (1) flat fee per cubic yard of non-recyclable solid wastes.
- (2) flat fee per cubic yard of designated recyclables.

AUTHORITY FOR THE TOWN OF RIVERHEAD AND FOR THE TOWN OF
BIDDER FOR SOLID WASTE MANAGEMENT SYSTEM

(3) flat fee per ton or portion thereof for hazardous wastes.

103-57. Penalties for Violations.

Each violation of the provisions of this Article pertaining to maximum collection rates shall be punishable by a penalty of Five Hundred (\$500) Dollars for the first violation and One Thousand (\$1,000) Dollars for each subsequent violation, and/or the suspension or revocation of any solid waste collection license held by the person, firm or corporation committing such violation.

offered the following
by COMPLETION
back to and is hereby directed to
action to bidders for Solid Waste
being newspapers and publications
July 17, 1991
July 17-19, 1991
August Edition

AT ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
JAMES J. FREDRICK, Town Clerk

400 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS RE: FOR SOLID WASTE MANAGEMENT SYSTEMS

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

RESOLVED, that the Town Clerk be and is hereby directed to publish and post the attached notice to bidders for Solid Waste Management Systems in the following newspapers and publications on the dates indicated:

Suffolk County Life	July 17, 1991
Newsday	July 17-19, 1991
Waste Age	August Edition

DATED: Riverhead, New York
July 2, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,
Creighton, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Separate sealed proposals will be received by the Town Clerk until 11:00 a.m. prevailing time on August 14, 1991, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will publicly be opened and read for:

**TOWN OF RIVERHEAD
SOLID WASTE MANAGEMENT SYSTEMS**

Instruction to Bidders, Proposal Form, Contract Form, General Conditions, Supplemental General Conditions, Special Conditions, Plans and Specifications may be obtained and/or examined at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, telephone 516-727-3200, after July 17, 1991.

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

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

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

401

AUTHORIZES A PUBLIC HEARING TO CONSIDER FORMING THE RIVERHEAD TOWNWIDE SOLID WASTE COLLECTION DISTRICT

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

WHEREAS, the State of New York has required the closing of Long Island landfills, construction of waste-to-energy incinerators, and the implementation of recycling programs to reduce the amount of wastes which need incineration; and

WHEREAS, implementation of recycling programs within the Town of Riverhead require greater participation to be effective in meeting the State's solid waste disposal goals; and

WHEREAS, there is a substantial amount of illegal dumping of solid wastes in empty lots and in commercial dumpsters largely due to the fact that solid waste collection services are optional at this time; and

WHEREAS, when disposal costs increase due to evolving State regulations and laws, illegal dumping will increase causing unsightly and potentially unhealthy conditions and additional cleanup cost to law-abiding Town residents; and

WHEREAS, delivery of wastes to the Town's disposal facilities (by residents who choose to self-haul their wastes) will also increase which could lead to traffic congestion at the disposal facilities, growth in air pollution from the increase in vehicles using such facilities and increase in the potential for accidents on the roads and at the disposal facilities; and

WHEREAS, existing private solid waste collection services are inadequate to meet the needs of many homeowners; and

WHEREAS, pursuant to Section 209-C of Town Law, a report, plan, and map have been filed for public inspection with the Town Clerk of the Town of Riverhead which report, plan, and map address the problems stated herein and propose:

- (a) Forming the Riverhead Townwide Solid Waste Collection District
- (b) Including in the District all residential property with tax codes of 210, 220, 230, 240, 250, 260, 270, and 280 which are within the Town of Riverhead
- (c) Contracting for solid waste collection services to be provided to residential properties with the aforementioned tax codes within the District

7/2/91

- (d) Paying for such services with a special district tax (benefit tax) which would be assessed against all included properties within the Riverhead Townwide Solid Waste Collection District.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Riverhead orders that a public hearing be held on Tuesday, July 23, 1991, at 7:30 P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the formation of the Riverhead Townwide Solid Waste Collection District as described herein and in the report, plan, and map filed with the Town Clerk at which time and place all interested parties will be given an opportunity to be heard.

BE IT FURTHER RESOLVED that the Town Board does hereby direct the Town Clerk to publish and post the attached public hearing notice in the July 10, 1991 edition of the official newspaper of the Town of Riverhead.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD

PUBLIC NOTICE

NOTICE is hereby given that the Town Board of the Town of Riverhead shall hold a public hearing on Tuesday, July 23, 1991, at 7:30 P.M. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York for the purposes of considering the formation of the Riverhead Townwide Solid Waste Collection District.

Pursuant to Section 209 of Town Law, a report, plan and map have been filed for public inspection with the Town Clerk of the Town of Riverhead which report, plan and map address the problems stated herein and propose: (a) forming the Riverhead Townwide Solid Waste Collection District; (b) including in the District all residential properties with tax codes of 210, 220, 230, 240, 250, 260, 270, and 280 which are within the Town of Riverhead; (c) contracting for solid waste collection services to be provided to residential properties with the aforementioned tax codes within the District, and (d) paying for such services with a special district tax (benefit tax) which would be assessed against all included properties within the Riverhead Townwide Solid Waste Collection District.

All interested parties may review and inspect the Report, Plan, and Map at the office of the Town Clerk in Town Hall, 200 Howell Avenue, Riverhead, New York 11901, Monday through Friday, 8:30 A.M. to 4:30 P.M.

Patricia Moore, Town Attorney
200 Howell Avenue
Riverhead, NY 11901
(516) 727-3300

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

June 21, 1991

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Riverhead Town Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action - Riverhead Townwide Solid Waste Collection District

SEQR Status - Unlisted

Conditioned Negative Declaration: No

Description of Action: Applicant, the Township of Riverhead, proposes to establish a Special District for the purpose of collecting residential solid waste within its jurisdiction. Included is a plan for establishing the methods, procedures, and policies for this collection.

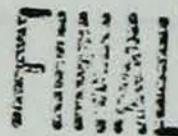
Location: Townwide, or specifically, that area within the Municipal boundaries of the Town of Riverhead and as described on the official Suffolk County Tax Map as District #0600.

Reasons Supporting This Document:

The action as defined in 617.2(b) and 617.3(k) was considered by examination of the Environmental Assessment Form and supporting documentation. No potentially large and important impacts were discovered. All impacts which can reasonably be expected to result from this action when compared to the criteria of 617.11 revealed no indications of environmental effect sufficient to cause the preparation of an Environmental Impact Statement.

For further information, contact:

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REPORT, PLAN AND MAP
for the
RIVERHEAD TOWNWIDE SOLID WASTE
COLLECTION DISTRICT

in the
Town of Riverhead
Suffolk County, New York



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I. INTRODUCTION

This report is prepared pursuant to the Town of Riverhead Town Board initiating resolution No. 606 Adopted September 4, 1990, and the mandate by the State of New York for towns to implement local recycling and resource recovery programs.

This report serves as the official document in the establishment of the Riverhead Townwide Solid Waste Collection District (District). Together with the included map, the report is in conformance with the requirements of the Special District formation laws of the State of New York.

This document further serves as the plan for the collection of municipal solid waste (MSW) in the Town of Riverhead and establishes the methods, procedures and policies as a specific plan for the collection of MSW as an adjunct to the Town of Riverhead Solid Waste Management Plan developed by the firm of Dvirka and Bartilucci dated May, 1990.

This document:

1. establishes a plan for control by the Town of Riverhead over solid wastes generated by residential properties of the Town;
2. defines and unifies collection procedures and costs of collection;

3. provides a plan for townwide collection of recyclable and compostable materials;
4. identifies townwide residential solid waste quantities as a basis for the development of disposal systems; and
5. provides for the health, safety and general welfare of citizens of the Town of Riverhead.

In Part I of this plan, the current system of solid waste collection is studied. It analyzes current collection practices and problems associated with those practices, costs, and effectiveness in carrying out New York State mandates for finding alternatives to landfilling. Part II proposes how solid wastes should be collected and how the District services should be managed and financed for the benefit of all Riverhead citizens. Part III is the map indicating the boundaries of the District and the contract areas within the District.

In synopsis, this report recommends the formation of a townwide solid waste collection district for residential property owners in the Town of Riverhead to replace the current system of individual families contracting with private carters or self-hauling solid wastes to the Town's disposal facilities. The recommended system would require that all single family residences, and certain multiple family residences which normally have separate garbage containers for each dwelling unit, would be included in the collection



district and assessed for the solid waste collection costs as part of their annual property tax bill. The townwide District will then guarantee service and performance by bidding out contract areas to private carters which have established acceptable performance records of solid waste hauling in the Town of Riverhead.

It is expected that the cost of collection for each residential property will be less than the current costs to those families presently using private carting services. The bidding process will be so designed as to achieve guaranteed levels of performance, the lowest price possible in a competitive atmosphere, and other objectives to protect the interests of the citizens of the Town of Riverhead.

PART I - REPORT

The Landfill Burial Law adopted by the State of New York requires that all landfills located in areas of sole source aquifers must be closed by December, 1991. Professional engineers, experienced solid waste managers, officials, and professional environmentalists have recognized that the application of this law specifically in the eastern towns of Long Island is both an unnecessary and costly mandate that will result in little or no significant environmental benefit. The law may have unpredictable detrimental effects on the environment by virtue of the fact that the law specified the closing of landfills without describing acceptable alternative systems for waste disposal. The law has resulted in chaos and, out of chaos has come dramatic costs to taxpayers with a plethora of unrelated alternatives that include long haul carting, mechanical composting, production of refuse derived fuel, mass burning plants, recycling and various combinations thereof, all of which are uncoordinated and often duplicative and unpredictable.

The only certainty that has been derived from the Landfill Burial Law is that the real cost of disposing of MSW has gone from approximately \$8.00 per ton in 1980 to over \$100.00 per ton in 1990. In fact, in some towns

such as Oyster Bay, the disposal costs have exceeded \$125.00 per ton reaching the anomaly that the disposal of a ton of household garbage now costs more than the purchase of a ton of coal (delivered). It is precisely the dramatic increase in the costs of disposal of solid wastes that require responsible action to control the flow of MSW.

Consider the following. If the Town of Riverhead's petition to the Supreme Court which seeks relief from the Landfill Burial Law on the grounds that professional testimony reveals that the Riverhead Town landfill represents no serious threat to the environment is denied, then the Town must resort to more expensive means of disposal. The success of such means will financially depend on guaranteed daily tons of solid waste delivered to the facility. The only method of guaranteeing a waste stream is through control of the collection process.

If the Town's petition to the Supreme Court is affirmed, then the Town's lower disposal fees will attract MSW with locations outside the town boundaries, a condition that has been proven many times over in Islip, Babylon and Oyster Bay Towns. The only realistic method of controlling the inflow of garbage from other towns is to control the collection process.

The two examples sited above result in two different but equally onerous conditions. In the first

situation, the Town of Riverhead will have to resort to an alternative to landfilling that will be accompanied by a financial commitment of a substantially higher rate than the present tipping fee of \$40.00 per ton. The commitment will also include guaranteed volumes of solid wastes to insure revenues to repay the capital development and operational costs of the system. These are commonly referred to as "put or pay" financial arrangements. This means that if household garbage disappears (without waste stream controls) because of a higher tipping fee, the taxpayers will pay for the difference between what is guaranteed and what was actually delivered. In this situation, the Town will find it exceptionally more costly if the MSW is not delivered to the designated Town disposal facility.

In the second instance, if the Town is allowed to continue to operate the present safe landfill which will keep disposal costs lower for the taxpayers, the Town will find it difficult and costly to prevent out-of-town garbage from being delivered to the Town for the reason that garbage tends to end up where the disposal costs are the lowest. The best means of waste flow control is through municipal control of the collection process. While the best means of collection may be to have the municipality itself collect MSW, it is usually considerably more costly than bidding the collection service to private carters under contract to the



municipality (See Part II, page 28).

All of the foregoing explanations and rationales are best understood through a review of the current collection systems.

A. Existing Collection and Disposal Methods

There are seven methods by which all solid wastes within the Town of Riverhead are collected and delivered to the Town's landfill.

1. Approximately 4,200 of the 9,200 residential households have collection provided by private carting firms generally twice per week and, since January of 1991, a third collection on Wednesdays of recyclables.
2. Approximately 5,000 households self-haul their solid wastes individually or, in some cases, collectively by neighbors or through paid informal arrangements with neighbors using small pick-up trucks, vans or trailers.
3. Businesses, commercial enterprises, apartment complexes and institutions pay commercial haulers to pick up solid wastes and deliver them to the Town landfill. Receptacles for these wastes are commercial containers ranging in capacity from four yards to large thirty yard rollofs. Garden apartments and other higher density residential uses generally use commercial containers also.

Most residents in mobile home parks use individual garbage containers while condominiums, like apartments, use larger commercial containers.

4. The Town, County and State highway departments regularly collect solid waste and yard waste from along the roadways within their jurisdiction as well as from street receptacles, beaches, parks and other public facilities which wastes are delivered to the Riverhead landfill.

5. Most bulky wastes are collected during a two-week spring cleanup usually held in May. Other bulky wastes are delivered to the landfill by residents who self-haul them or by arrangements with private carters or neighbors with pickup trucks, vans or trailers.
6. Leaf pickup and yard wastes are handled as part of a fall cleanup program which permits residents to bag or rake leaves into the street along with trees, shrubs, clippings and other yard waste being discarded. The Town's highway department collects these items. Residents may self-haul leaves and other yard wastes to the landfill but they are required to remove the leaves from bags before depositing them in the special leaf composting area.
7. Recyclables (collection begun in January 1991) are picked up from residential customers on Wednesdays by carters providing collection services and delivered to the recycling facility at a reduced tipping fee. Residents holding dumping permits may bring recyclables directly to the landfill at no charge.

Table I on page 9 shows the approximate tonnage by each collection method using the Town landfill as the final disposal area.

B. Private Carting Services

Three carting firms provide collection services to most of the approximately 4,200 households currently served by private carters. The fees vary as shown in Table II on page 10.

It should be noted that each carter handling residential solid waste collection agreed to participate in the 1991 recycling project to collect recyclables from residential customers on Wednesdays for a reduction

Table I
Approximate Annual Tonnage and Fees for MSW¹
1990-1991

<u>Collection Method</u>	<u>Approx. Tons/Yr.</u>	<u>Tipping Fee</u>
Private Carter (Residential)	10,000	\$40/ton
Residential Self-Hauling	11,500	\$1/auto \$2/pickup \$2/trailer
Private Carter (Commercial)	10,200	\$40/ton
Public Facility Waste Collection	300	No fee
Bulky Waste Collection	441	No fee for Spring Cleanup
Construction Debris	9,000	\$40/ton
Leaf and Yard Wastes	422	No fee
Private Carter (Recyclables)	700	\$20/ton ²
Recyclables Self-Hauling	500	No fee
Total Estimated Tons	43,063	

¹Source: Dvirka and Bartilucci Report, May 1990 and Town of Riverhead Department of Sanitation

²Mandatory recycling program began January 1, 1991. No fees will be charged until the program is in full operation in March or April, 1991.

Table II

Private Carter Residential Fee Structure¹

<u>Carter</u>	<u># Hsehlds Served</u>	<u>Per Month Fee Structure</u>	<u>Comment</u>
A	1,200	\$24.99 - 1 pickup/wk	Sales tax included
		\$28.49 - 2 pickups/wk	Sales tax included
B	1,200	\$23.00 - 1 pickup/wk	Sales tax included
		\$26.50 - 2 pickups/wk	Sales tax included
C	1,800	\$27.00 - 2 pickups/wk only	Plus sales tax; 10% discount senior citizens
Total	<u>4,200</u>		

¹Source: Town of Riverhead Department of Sanitation

in tipping fee from \$40.00 per ton to \$20.00 per ton. The increased service resulted in no change in the monthly charges to families.

Currently, families served by private carting services pay on the average approximately \$28.00 per month for two days per week pickup, \$2.05 of which is paid in sales taxes to the State and County. On an annual basis, Riverhead families contracting for private collection pay the following average annual fee for twice per week pickups:

Collection and Disposal	\$ 310.80
Sales Tax	25.20
Total per year	<u>\$ 336.00</u>

The average charge of \$336.00 per year per family includes approximately \$90.00 per year in tipping fees since it is estimated that the total residential solid waste generated in 1988 was 20,039 tons (source: Town of Riverhead Solid Waste Management Plan, Dvirka and Bartilucci, May 1990) or 54.9 tons per day. The LILCO estimated number of households in the Town of Riverhead in 1988 was 8,884. The average solid waste generated per household equaled 2.25 tons per year times \$40.00 tipping fee per ton yields \$90.00 as the average annual tipping fee paid per household. The amount of net annual customer charges by private carters is as follows:

\$ 336.00	Average annual collection fee per household
- 25.20	Annual sales tax
- 90.00	Annual tipping fee at \$40.00 per ton
<hr style="width: 10%; margin-left: 0;"/>	
\$ 220.80	Net annual average charge per household

The \$220.80 net annual charge per household for collection services by private carters is comprised of the following expenses:

1. Net profits
2. Equipment maintenance, operation and amortization
3. Payroll including fringe benefits
4. Overhead, garage and storage yard costs
5. Office overhead, billing, accounting, telephone and advertising
6. Insurance
7. Licenses, permits, inspections and vehicle registrations
8. Taxes (other than sales tax)
9. Other miscellaneous expenses

A major factor affecting the net annual charge for collection is the mileage and corresponding time required to collect curbside solid wastes from each household. Two factors pertaining to the Town of Riverhead that increase this collection charge to homeowners are:

1. the overall low density of residential development requires longer truck trips to service participating households; and
2. private contractual arrangements for collection results in intermittent as well as sporadic distribution of participating households.

In the towns of Islip, Huntington, Babylon and

Brookhaven, characteristic densities are between one quarter and one half acre single family plots and, with the exception of eastern Brookhaven, these towns are approximately 85% developed. Riverhead, on the other hand, is less than 25% developed and the overall characteristic density in the developed portion is more than one half acre per residential plot or approximately half the density of the western Suffolk towns.

The participation rate in the Town of Riverhead in private collection systems (less than half of all households use carting services) also contributes to the higher net annual collection charge. The creation of a townwide collection district will significantly reduce the net annual cost for collection service as the district proposal will more than double the number of households served. In the towns of Islip, Brookhaven and Huntington, the reduction in costs to households was in excess of 25% of the net annual charges while the percentage of new households added to the service was less than thirty percent of the total district. Doubling the number of households served in the Town of Riverhead should result in a greater reduction of the net annual charge to households.

The increased households in a townwide district will provide for maximum efficiency by reducing the intermittent nature of the current service and reducing the spatial distribution of households. Also, the



obvious economies from removing the billing process from private carters and the elimination of shifting the unpaid bills to the remaining paying customers will have a significant impact toward reducing the new household rate in the townwide district.

Several large mobile home developments (over 1,700 households) are served by private carters who pick up solid wastes from individual garbage pails. As a land use, the mobile home parks are generally higher in density with smaller acreage per household than is the average for the Town. In planning a townwide collection district, the mobile home park requires separate consideration since the units generally are owned by the occupants and are located on leased land. Consideration for the handling of solid waste collection from mobile homes are included in Part II of this document.

Also, condominiums which use contractual arrangements for carting services will not be included in the District in its initial formation. However, future consideration should be given to serving condominiums as the cost of solid waste collection will be cheaper for these units if they are part of the district.

C. Solid Waste Disposal by Homeowners

Some people have argued that when families handle garbage disposal themselves, there were no crises, no

taxes, no massive government bureaucracies involved and no pollution problems. It has also been argued that today's garbage crisis had its roots in the "no-burning" laws established in the 1950's and early 1960's which eliminated individual household disposal systems that used composting, burning and on site ash disposal.

The "trip to the dump" was a weekly ritual for nonburnable household items such as cans, glass and large metal items. While such rituals were primarily utilitarian, they were also a means of social interaction and more importantly, a frugal method of recycling since it was not uncommon for one to return home from the dump with more than was left behind.

The no-burning laws, for obvious safety and health reasons did, nonetheless, begin the process of greater government involvement in the logistical handling of all solid wastes. The New York State Landfill Burial Law and its application has escalated government actions and controls and has resulted in rigid laws that have eliminated household disposal systems.

The "trip to the dump" in Riverhead is not a serious municipal problem because of the relatively low population density. Before the establishment of solid waste collection districts in the western towns of Suffolk County, thousands of private vehicles delivered household garbage and other debris to town landfills on the weekends. The logistical handling of traffic had

reached dangerous levels and the amount of illicit dumping on days when the landfill was closed or when lines were too long had reached crisis proportions.

1. The Self-haulers

Riverhead's relatively small population is still manageable from the standpoint of handling self-haulers at the landfill, although the numbers need to be carefully examined. Table III on page 17 summarizes the 1989 January through May weekday and weekend totals of private vehicles using the landfill for self-hauling purposes.

It is evident from Table III that informal arrangements exist where pickups and perhaps even passenger vehicles are used to service more than one household. It is also clear that less frequent trips are made in the colder months (919 vehicles January 15 to 21) than in the warmer months (1,597 vehicles from May 22 to 28). Since approximately 5,000 families are not served by private carters and a large number of farmers within that group use on site disposal systems (incineration of all burnables), it is reasonable to assume that between 3,500 and 4,000 permanent resident families rely on self-hauling to the landfill for solid waste disposal.

The data summarized in Table III was collected for two-week intervals from January to May 1990. Based on

Table III**Private Vehicles Using the Riverhead Landfill - 1989**

WEEK OF	WEEKDAYS		WEEKEND		TOTAL	
	CARS	PKUPS	CARS	PKUPS	CARS	PKUPS
Jan. 15-21	220	276	128	295	348	571
22-28	169	334	165	393	334	727
Feb. 5-11	130	255	183	420	313	675
12-18	180	331	152	419	332	750
Mar. 12-19	275	372	212	401	487	773
19-25	275	351	289	458	564	809
Apr. 2- 8	259	389	366	418	625	807
24-30	297	491	307	482	604	973
May 14-20	316	453	240	417	556	870
22-28	451	563	257	326	708	889
	-----	-----	-----	-----	-----	-----
Totals	2,572	3,815	2,299	4,029	4,871	7,844

the Nassau-Suffolk Regional Planning Board seasonal housing estimates for Riverhead Town, it can be estimated that an additional 500 private vehicles per week, mostly cars, self-haul to the landfill during the months of June to September.

Apartments in one, two and three family dwellings are part of the informal collection system and are included among the self-haulers. Multiple family dwellings including condominiums, however, are currently served as commercial customers as are nursing homes, large boarding houses, hotels and motels.

2. Costs of Self-hauling

Self-hauling is the least expensive method of solid waste collection and disposal for the individual family, but it should be understood that self-haulers are being subsidized by those who use residential and commercial carting services. The subsidy is through the tipping fee charged to carters by the Town at the landfill which is the main source of revenue to cover the costs of the disposal system.

At the current rate of \$40.00 per ton, the average household with carting service pays approximately \$90.00 per year for tipping fees as part of its monthly charges (see page 12). Self-haulers pay a landfill entry fee based on the type of vehicle as follows:

Passenger Car	\$1.00
Pickup Truck	2.00
Car and Trailer	2.00
Pickup and Trailer	3.00

These self-haulers must purchase coupon books at Town Hall to eliminate the handling of cash at the landfill.

Assuming a typical household self-hauler makes one trip per week to the landfill every week of the year, the total tipping fee share is \$52.00. If, as the data reveals, trips in winter months are made less frequently for the same weight of 2.25 tons per year per household, the tipping fee share will drop below the \$52.00 to as low as \$40.00 per year. If pickup trucks are used to transport solid wastes for more than one family, revenues are even less and the subsidy is even greater per family per year. Since there are more pickup trucks than cars entering the landfill, it may be assumed that multiple household arrangements are common place and the resultant tipping fee share is probably less than \$40.00 per year for the same average 2.25 tons per household. Hence, the subsidy to the self-haulers is greater than fifty percent overall.

From the self-hauler's standpoint, it should not be assumed that their only costs are entry fees. The actual cost for self-hauling really includes the following:

1. Entry fees
2. Personal time (opportunity costs)
3. Pro rata vehicle insurance
4. Pro rata vehicle cost amortization
5. Pro rata vehicle operating costs
6. Pro rata vehicle maintenance costs
7. Pro rata vehicle registration and inspection costs

Self-haulers will argue that all the vehicle-related costs such as insurance, amortization and registration are expenditures even without self-hauling. Others will argue that opportunity costs, what one could be earning during the time it takes for the trip to the landfill, should not be counted for retirees or those who view the landfill trip as having social or recreational benefits. All of these arguments have validity but no one can argue against the fact that it costs more than just the entry fee to self-haul.

How much more? Competent studies for vehicle-use reimbursement and Internal Revenue Service allowances for vehicle use all indicate a reimbursement rate of 26¢ per mile, while most vehicle operators would argue that actual costs are even higher given prevailing fuel and maintenance expenses. Trucks and vehicles with trailers would have an even higher per mile cost. An average trip to the landfill can vary considerably, and it is reasonable to assume that the self-haulers within a five mile radius of the landfill make up the bulk of self-haulers. It is also safe to assume that an average round trip to the landfill is approximately seven miles based on the spatial distribution of residential

densities depicted on the Town's land use maps. A typical self-hauler is actually paying the following annual out-of-pocket costs to self-haul household solid wastes to the landfill:

\$ 45.00	Tipping fee (assuming 45 trips)
81.90	Based on 26¢/mile, 7 mile round trip
<hr/>	
\$126.90	Total

If the tipping fee to self-haulers were not subsidized by those paying commercial and residential carters, the actual annual cost to self-haulers would be:

\$ 90.00	Tipping fee for 2.25 tons at \$40/ton
81.90	Based on 26¢/mile, 7 mile round trip
<hr/>	
\$171.90	Total

If opportunity costs are in any way entered into the cost considerations, an hourly rate times forty-five trips per year would make self-hauling the highest cost alternative even at the minimum wage rate. Those self-haulers who collect and deliver solid wastes for multiple households and who in fact are charging for the service may be earning the opportunity costs, but at a very high cost to those who subsidize the self-hauling system.

3. Illegal Disposal

The problem of illegal dumping is virtually eliminated wherever townwide collection districts are established. In towns in western Suffolk County, prior to the establishment of collection districts, the

sizeable amount of illegal dumping cost residents a substantial sum of tax dollars to police, remove and dispose of these illegally dumped wastes. The illegal dumping problem is logistically small for the Town of Riverhead, although it will worsen with rising disposal costs and increases in the resident population.

Currently, the Town's Highway Department picks up litter and garbage on Town owned properties and rights-of-way. The solid waste collected this way is delivered to the landfill for final disposal along with the solid wastes of residential and commercial taxpayers. Additionally, those who are paying for private carting services are paying for the disposal of all the illegally dumped wastes.

4. Landfill Accommodations

The Town of Riverhead has both an extraordinarily well managed landfill and a well buffered landfill site. Internal circulation is constrained by relying on unfilled areas for access roads, equipment maintenance and storage, recycling waste stations, leaf composting, bulky waste and white goods (appliances) storage and toxic waste facilities. In addition, the operation of the landfill must be maintained. The management of all these special areas while accommodating as many as 500 private vehicles on a peak day (source: Town of Riverhead Department of Sanitation) is a significant



achievement. Although the internal circulation and facility management is excellent, if landfilling continues, these conditions will be more difficult to manage in the future as additional growth occurs. The townwide collection district would relieve the traffic and activity from the private vehicle component as all household solid wastes would be collected by private carters and delivered to the landfill in large trucks.

The issue of weighing solid wastes can not be realistically resolved while continuing the practice of allowing residents to self-haul more than half of the solid wastes generated by the residential community. If landfilling is allowed to continue, it may not be necessary to resolve this issue since landfilling is volume dependent rather than weight dependent. The inequities can also be resolved by adjusting private vehicle entry fees to be more equitable in comparison with those who use private carters and whose generated waste is carefully weighed and recorded.

If landfilling is discontinued, then weighing becomes an extremely important function for two reasons:

1. Much higher tipping fees will be necessary to pay the costs of alternative disposal systems which will require careful monitoring through weighing; and
2. The cost of all alternative disposal systems to landfilling are based solely on tonnages handled.

The only feasible system of weighing all solid wastes is

through a townwide collection district.

D. Recycling Program

The New York State adopted *Solid Waste Management Plan* requires all municipalities to initiate a recycling program with a goal of 50% of all solid wastes recycled by 1995. In compliance with the State Plan, the Town of Riverhead expanded its voluntary recycling program and required all residents to separate recyclables from household solid wastes. The first phase of the program was initiated on January 1, 1991. Private carters are now collecting recyclables from residential customers every Wednesday in receptacles specifically provided by the Town for this purpose. Self-haulers are also required to separate recyclables from other household wastes when making deliveries to the landfill. The program, while only in its infancy, is already quite effective as evidenced by the following early results:

Before	}	November 1990	37.70 tons
mandatory	}		
recycling	}	December 1990	26.61 tons
After	}	January 1991	109.46 tons
	}		
mandatory	}	February 1991	155.43 tons
	}		
recycling	}	March 1991	330.73 tons

Since the success or failure of a recycling program is dependent on markets for recyclable goods rather than the number of source separation participants, a townwide collection district is the best mechanism to control the

recycling program by directing both delivery locations and types of materials to be separated.

Two additional benefits of a townwide collection district are the ability to provide bulky waste pickup and yard waste collection. Although collection of these items is not generally considered recycling, there are substantial recycling benefits to bulky wastes such as metals, white goods (appliances), and almost a total recycling potential for yard wastes. The townwide collection district will eliminate the need for the Town's Spring Cleanup Program which is often burdensome on the Town's Highway Department. In the proposed townwide collection district discussed in Part II to follow, bulky waste becomes a contracted service and yard waste is handled as a future separate collection perhaps replacing one of the household garbage collection days as an alternate.

E. Commercial Property Service

Uniform collection of solid wastes almost always excludes commercial waste for the following reasons:

1. Businesses generate a wide variety of wastes and in varying quantities which makes it impossible to establish uniform services and charges;
2. The townwide collection district must have a high level of uniformity in order to apply a uniform tax and, therefore, the variations associated with commercial waste cannot be effectively handled; and



3. There is no compelling public purpose to include properties which are already served by commercial carters and for which they already pay an equitable share of tipping fees.

Condominiums and apartments in the past have been serviced similar to business properties by contracting directly with private carters. The benefits of "no sales tax" and competitive bidding are beginning to draw a great deal of interest in creating such district collection service for these dwelling units too. It is beyond the scope of this study to consider such services for Riverhead Town, and it is not wise to do so at this time when initiating a wholly new district.

F. Report Conclusions and Recommendations

All of the foregoing observations under "Part I - Report" lead to the following conclusions and recommendations:

1. The creation of the Riverhead Townwide Solid Waste Collection District is a desirable tool for controlling the Town's solid waste disposal system and providing a uniform collection service. Uniform charges would result in greater efficiency, equality in cost burdens, a cleaner Town and more effective management of facilities for solid waste disposal. If the landfill is permitted to remain open by the New York State Department of Environmental Conservation (NYSDEC), the townwide collection district is desirable but not imperative. The loss of the traditional "trip to the

dump," the loss of individual prerogatives to self-haul household wastes or to compost, incinerate or burn waste in fireplaces should be given careful consideration to defer the creation of the district until a future date when growth or other environmental mandates require closer municipal control.

2. The creation of the Riverhead Townwide Solid Waste Collection District becomes a necessity if the NYSDEC mandates the closing of the landfill, because the higher cost alternatives for solid waste disposal will depend on accurate weighing and monitoring of all solid wastes. The traditional or ritual "trip to the dump" will no longer be possible as all wastes will go to controlled transfer stations, be hauled directly to other localities or brought to resource recovery facilities that will limit entry only to typical garbage hauling vehicles.

3. If the Town prevails in keeping the landfill open and elects not to create the proposed collection district at this time, then it is recommended that the Town accomplish the following:

- a. Raise the entry fee to \$2.00 minimum for self-haulers so that they pay a more equitable share of the disposal fee;
- b. Increase enforcement capabilities in the Town to keep out itinerant waste; and
- c. Increase solid waste weighing potential to achieve a higher degree of accuracy of just how much solid wastes are received.

PART II - PLAN

Introduction

In Part I it is concluded that the creation of the Riverhead Townwide Solid Waste Collection District (referred to hereafter as the "District") would be beneficial to both the Town as a whole and to its residents individually if landfilling were permitted to continue. Should the landfill operation continue, the District would be beneficial but would not be essential. It was also concluded that if the landfill were to close by order of the State of New York, it would be most essential to create the District for the safe, efficient and cost-effective handling of solid waste disposal alternatives to landfilling. The following plan is based on these premises, and the plan's elements are designed to provide for a smooth transition to alternative disposal systems.

A. Advantages of Collection Districts

The Plan recommends that all one, two, three and four family homes (not in farm categories) and mobile homes on single residential parcels (not in mobile home parks or in multiple clusters) be included in the District.

Formation of the District to collect solid wastes generated by residential households offers many benefits. These households currently are serviced either by private carters or residents self-haul their solid wastes to the landfill as explained in Part I. The advantages of the creation of the District for all of these households and the Town are as follows:

1. All residents would receive uniform collection services while permitting better control and coordination of the Town's overall solid waste collection and disposal system;
2. All residents would be able to conveniently participate in the Town's recycling program as mandated by the State of New York;
3. The District allows for changing patterns of disposal needs during the year such as the substitution of one pickup for the collection of yard waste and other compostables;
4. Collection services will be increased for most households by including year-round bulky waste pickup and an increase in the amount of waste (number of containers or items) carters must pick up at each stop;
5. The cost of collection services will be reduced to the lowest possible fee through competitive bidding on five year contracts, the establishment of efficient pickup routes, and the elimination of payment defaults and bill-collecting costs to carters;
6. Carters who win bids for five year contracts can acquire safer, quieter and state of the art collection equipment because the guarantee of a contract will allow the financing of these equipment costs;
7. Contract compliance would be monitored closely by the Town on behalf of all residential customers which will generate greater carter responsiveness to residential service quality;

8. Illegal dumping in both vacant areas and in commercial containers would be virtually eliminated, thus, reducing Town costs for cleanup of illegal dumping;
9. Costly fall and spring cleanup programs by the Town Highway Department will be replaced by District services in a manner far more convenient to residents;
10. The reduction of traffic to and from the landfill and other transfer facilities will result in cost and liability savings to the Town;
11. Sales taxes will be eliminated from collection service fees since the new District will be a government service exempt from sales tax; and
12. All residents will know exactly what their collection costs will be for a five year period. However, disposal costs reflected in the tipping fee portion of the annual charge are based primarily on State regulations and actions and are, therefore, difficult to predict over a five year period.

In Suffolk County, the towns of Babylon, Brookhaven, Islip and Huntington have all established solid waste collection districts. Each of these Towns and their residents have benefitted from the advantages enumerated above since instituting district solid waste collection.

District collection has also benefitted homeowners in Islip Town where the plan provided for the creation of "experimental districts" to test mechanical collection and different types of waste receptacles which have led to improvements in overall townwide services.

Brookhaven, which formed its district in 1988, achieved the most dramatic decrease in residential collection and disposal rates. Residents who were paying between \$300 and \$360 per year for private collection and disposal services (including sales tax) before the formation of a townwide district saw their charges drop to \$198 per year for an average 35% reduction.

The single most important advantage of townwide collection districts is the logistical control of solid waste collection and disposal on a fair and uniform basis.

B. Ad Valorem Versus Use-Benefit Tax

In special district assessment allowed by State law there are two means of taxation, either "ad valorem" (a rate based on the value of the real property) or "use-benefit" (a uniform value tax wherein all benefitted tax payers of the same type pay the same total amount). It is recommended that the most appropriate method of district tax for the District proposed herein is the use benefit tax. The use benefit tax method is the most appropriate since the value and assessment of each property has no relationship to the demand or need for solid waste service by household type. By the use benefit tax method, all single family homes pay the same amount regardless of locations in the town.



Correspondingly, all properties benefitted by the service will pay for the service. All other properties within the District will neither be taxed nor served.

C. Proposed Townwide District

The Riverhead Townwide Solid Waste Collection District is comprised of one district which provides residential solid waste collection for the entire area under the jurisdiction of the Town of Riverhead.

1. District Boundary and Governing Body

This Plan proposes to create one unified District in the Town of Riverhead within which all households by property type will pay a uniform fee collected by the Town on the annual property tax bill and distributed to the district for payment of contracted services. For the purposes of legal description, the District is defined as:

"That area within the municipal boundaries of the Town of Riverhead and as described on the official Suffolk County Tax Map as District Number 0600."

The members of the Town of Riverhead Town Board as duly elected officials will serve as the governing body of the District in accordance with Article 12, Section 198 of the Town Law of the State of New York.



2. Financing the District Service

The uniform collection system will be paid by a uniform benefit tax, that is, all households by property type will pay the same annual amount for garbage collection. For example, each single family dwelling will pay the same amount as every other single family dwelling. Likewise, every three family dwelling will pay the same amount as every other three family dwelling, but this amount will be proportionately higher than single family dwellings. This same proportional uniform fee schedule will apply to each property type.

3. Charge Per Property Type

The reason for the proportional multiplier is to distinguish between household types since the amount of service will be different. Typically, a free standing single family home containing 3.5 people and generating 2.25 tons of solid waste per year requires one stop by the collection truck. A two family home, typically occupied by two family units, one with an average of 3.5 family members and an apartment with an average of 2.2 family members, requires no additional travel by the collection vehicle and generates less solid waste than two single family dwelling units. This two family unit would therefore receive a proportional multiplier of 1.5 instead of 2.0 because of the savings in travel costs and amount of solid waste generated. For these reasons,

Table IV on page 35 uses the proportional multiplier in order to make the assessment as fair as possible for the various types of dwelling units.

Mobile homes that are clustered closely together in mobile home parks are not included in the District because of varying methods of paying for collection services. However, a mobile home on a single residential parcel (not in mobile home parks or in multiple clusters) is included in the District as a typical single family home.

The annual fee charged each property type is calculated by multiplying the average cost times the proportional multiplier to equal the annual fee. For example, if the average annual cost is \$200 for a single family home, then a two family house with a multiplier of 1.5 would pay \$300 ($\$200 \times 1.5 = \300).

Table IV

Table of Charge Multiplier

<u>Tax Code</u>	<u>Type Unit</u>	<u>No of Parcels</u>	<u>Proportional Multiplier</u>	<u>No. of Units</u>
210	1 Family	6,408	1.0	6,408
220	2 Family	129	1.5	193.5
230	3 Family	18	2.0	36
240	1 Family large lot	9	1.0	9
250	Estate	2	1.0	2
260	Seasonal residence	870	1.0	870
270	Free Standing Mobile Homes	102	1.0	102
280	4-5 Family	44	3.0	132
TOTALS		<u>7,582</u>		<u>7,752.5</u>



4. Contract Bid Areas (CBA's)

The unified townwide District contains six geographical contract bid areas referred to as CBA's. In order to arrive at a system of unified charges while allowing for as many firms as possible to competitively bid for each of the CBA contracts, the unified district is divided into six CBA's, each with a separate contract. The average cost per dwelling unit on a townwide basis is determined by taking the lowest responsible bidder in each of the six CBA's, totalling the six low bid prices for each year and then averaging the total by the number of proportional dwelling units to allow each type of household to pay the same fee throughout the Town. The rationale for the CBA's and bid averaging is as follows:

1. A single contract on a townwide basis would result in only very large firms qualifying or being able to bid;
2. In cases where a carting firm defaults on its contract, a reasonably sized CBA can more easily be handled by a substitute carting firm than a large single townwide district;
3. Bid prices will reflect the distance from the residences to the disposal site and, therefore, variable bids will result which, without averaging, would create collection fee differences based on geographical location rather than on a uniform collection service; and
4. Solid waste disposal sites and facilities may change in the future which, without bid averaging, could change all collection fees.

When all bids are received, the lowest responsible bidder will be awarded a five-year contract in the



amount of the annual total dollars bid for each CBA. Payments to contracted carting firms servicing each CBA will be made on a monthly basis and only upon satisfactory performance in accordance with the contract requirements.

5. Boundaries and Size of Contract Bid Areas

Each CBA is designed to contain approximately 1,200 households which can be easily serviced even by one-truck operators with a typical twenty-five yard packer truck. CBAs are shown on the district map in Part III of this document and the number of units by property class in each CBA are contained Table V on page 38.

Table V

Number of Units by Property Class in each CBA

CBA	PROPERTY CLASSIFICATION								T O T A L	
	210	220	230	240	250	260	270	280	Parcel	Unit
A	1,016	6	1	2	1	61	4	4	1,095	1,107
B	1,080	15	2	1	1	194	8	8	1,309	1,334.5
C	862	29	2	3	0	238	41	12	1,187	1,227.5
D	1,261	62	8	0	0	2	14	7	1,354	1,407
E	1,165	5	2	1	0	183	29	1	1,386	1,392.5
F	1,024	12	3	2	0	192	6	12	1,251	1,284
TOTAL PARCELS									7,582	
TOTAL CONTRACT UNITS										7,752.5

D. Recyclable Collection System

As of January 1, 1991, the Town of Riverhead mandated source separation of recyclable materials from other household refuse. Under the townwide District, carters will be contracted to collect and deliver such recyclables each Wednesday as scheduled by the Town Board or on such days and by such means as required by the Town Board. Items permitted to be included in the recycling collection will also be specified by the Town Board.

Leaves, yard wastes, branches, trimmings and other compostable materials as established by the Town Board will be collected on Mondays and Tuesdays as a contract service. This collection will enable compostable materials to be collected separately and recycled as compost or wood chips for redistribution to Town residents. Carters will also collect all bagged leaves on the compost collection day.

All household toxic chemicals will be picked up and disposed of by the Town (or at the Town's option by a contracted service) once per month as specified by the Town Board.

E. Implementation

1. Formation of the District

To establish the Riverhead Townwide Solid Waste Collection District, the *Report, Plan and Map* contained



herein shall be filed with the Town Clerk. The Town Board at its discretion may initiate the District's formation by setting a date for a public hearing by resolution and setting forth a public notice for such hearing before the Town Board to establish the District.

The public notice must include a description of the district, its purpose, method of financing, geographic boundaries and included parcels. Such notice shall be published not more than twenty days nor less than ten days prior to the date of the public hearing.

In the same resolution setting the public hearing date, the Town Board should designate the lead agency (Town of Riverhead Town Board) to prepare an Environmental Assessment Form (EAF) on the formation of the District.

At the public hearing, a summary presentation of the *Report, Plan and Map* filed with the Town Clerk should be made. Analyses of the lead agency as to the EAF should also be presented. It should be noted that in each case, the lead agency for all towns on Long Island which have already formed collection districts concluded "negative declarations" or "no significant environmental effect".

Following the public hearing, the Town Board may establish the formation of the District subject to a thirty day permissive referendum. The Town Board's approval shall be the adoption by Local Law of the



District, again setting forth its description, purpose, service provided, method of financing, geographic boundaries and types of properties to be included.

2. Summary of Collection District Services

The District will provide the following services:

1. Once per week pickup of nonrecyclable household refuse--up to six containers (not to exceed 32 gallons/50 pounds maximum filled weight each) or bundles (50 pounds maximum no longer than 36 inches in any dimension);
2. Once per week pickup of recyclable materials;
3. Once per week pickup of yard wastes, leaves and other compostables; and
4. By appointment with contracted carter, pickup of normal household bulky wastes (bulky waste volume and pickup frequency to be specified by the Town Board).

The proposed District will eliminate the spring and/or fall townwide cleanups since bulky wastes may be collected throughout the year by appointment. The District will also eliminate the need for Town collection of yard wastes and compost materials such as leaves, branches, trimmings and other household refuse that may be composted.

3. Contracts for Collection Services

The District services will be provided by competent private carting firms with established records of performance in the Town of Riverhead. All contracts



will be bid for five-year terms with options to extend for specified periods if it is to the benefit of District taxpayers.

The Town Board may accept or reject any or all bids for any reason. Prudent bid requirements and cautious bid analysis should eliminate or detect collusive bidding practices which should be responded to by bid rejections and rebidding those bids affected.

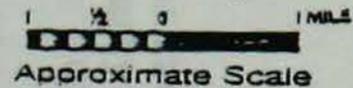
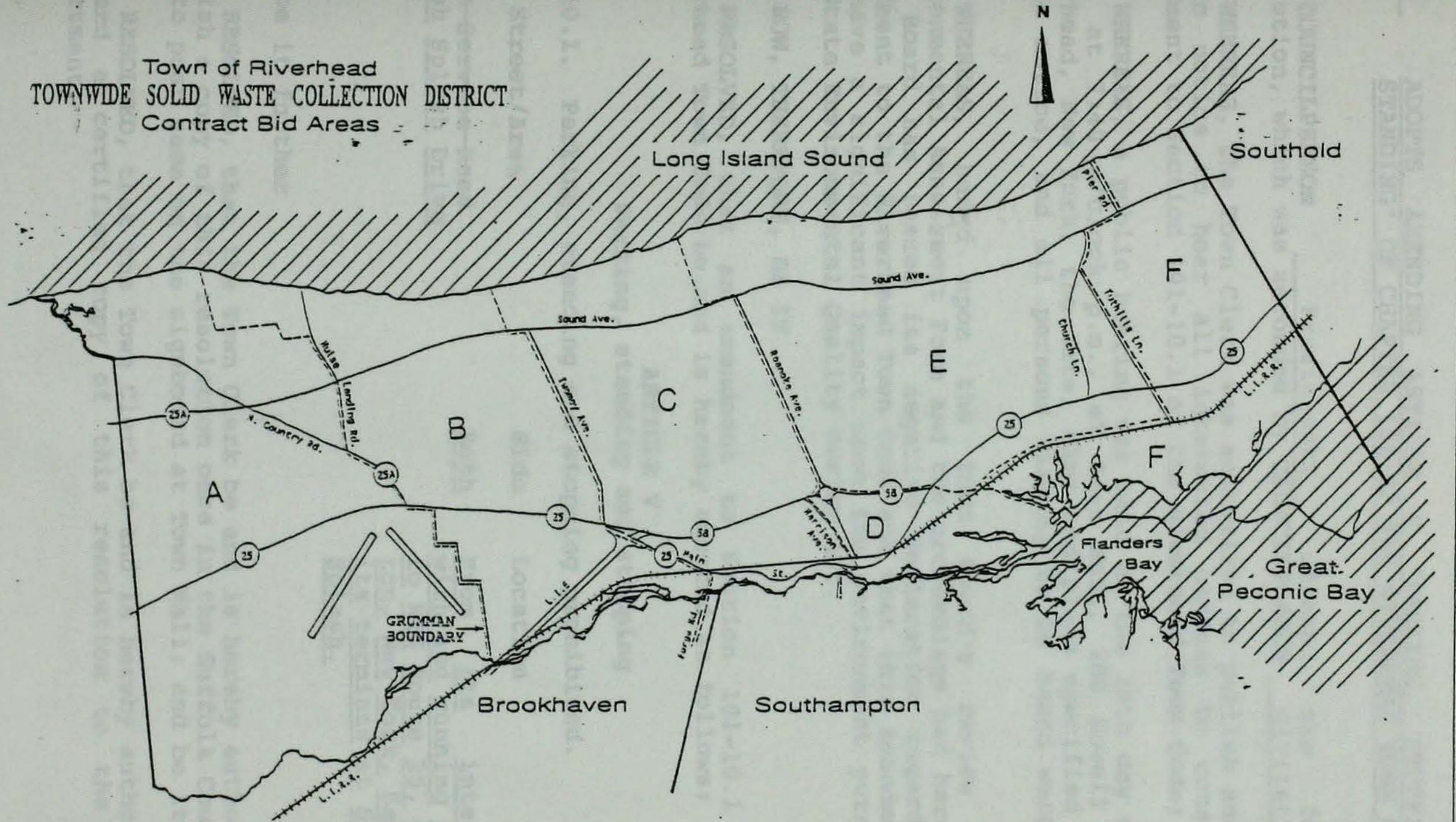


PART III

MAPS OF DISTRICT BOUNDARY AND CONTRACT AREAS

Town of Silverton
TOWN OF SILVERTON
SILVERTON, CO. N.M.
SILVERTON, CO. N.M.

Town of Riverhead
TOWNWIDE SOLID WASTE COLLECTION DISTRICT
 Contract Bid Areas



June 1991

 MUNICIPAL AND PLANNING SERVICES, INC.

402 ADOPTS AMENDING ARTICLE V "PARKING, STOPPING AND STANDING" OF CHAPTER 101 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an amendment to Section 101-10.1 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 18th day of June, 1991, at 7:40 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board has issued its negative declaration regarding the amendment to the Riverhead Town Code and that this amendment will not have a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that an amendment to Section 101-10.1 of the Riverhead Town Code be and is hereby adopted as follows:

ARTICLE V
Parking, standing and stopping

101-10.1. Parking, standing and stopping prohibited.

Street/Area	Side	Location
South Service Road <u>Splish Splash Drive</u>	<u>Both</u>	<u>From its intersection with and running parallel to NYS Route 25, Calverton, New York, East to its terminus at Splish Splash.</u>

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 the Highway Department.

7/2/91

Dated: Riverhead, New York
July 2, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

WHEREAS, a public hearing was held on the 15th day of June, 1991, at 7:30 o'clock p.m., at Town Hall, 300 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard;

WHEREAS, based upon the Town Board's review of the Environmental Impact Form and the proceedings had herein, the Town Board has issued its negative declaration regarding the proposed project and that this declaration will not have a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

RESOLVED, that an amendment to Section 101-10.3(a) of the Riverhead Town Code be and is hereby adopted as follows:

ARTICLE III
Traffic Regulations

101-10.3. Stop and yield intersections; railroad crossings.
A. Stop Intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	Stop Sign on	Exposure From
Middle Road	Doctor's Path	North

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to deliver a copy of this resolution to the Suffolk County Highway Department and to post signs on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to deliver a certified copy of this resolution to Highway Department.

403

ADOPTS AMENDING ARTICLE III "TRAFFIC REGULATIONS" OF CHAPTER 101 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an amendment to Section 101-10.3(A) of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 18th day of June, 1991, at 7:55 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board has issued its negative declaration regarding the amendment to the Riverhead Town Code and that this amendment will not have a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that an amendment to Section 101-10.3(A) of the Riverhead Town Code be and is hereby adopted as follows:

ARTICLE III
Traffic Regulatons

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

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

Intersection	Stop Sign on	Entrance From
<u>Middle Road</u>	<u>Doctor's Path</u>	<u>North</u>

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 Highway Department.

7/2/91

812

Dated: Riverhead, New York
July 2, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of July, 1991, at 7:00 o'clock p.m. at Town Hall, 100 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Section 19-3 of Chapter 19 entitled "Redemption of bicycles" as follows:

1. Redemption of bicycles shall be made from the Riverhead Police Department during the hours of 9:00 a.m. to 1:00 p.m. Monday through Friday, excluding holidays.

Attest: Riverhead, New York
July 2, 1991.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

404

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE
TO CONSIDER AN AMENDMENT TO CHAPTER 49 "BICYCLES" OF
THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Section 49-5 of Chapter 49 entitled "Redemption of bicycles":

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of July, 1991, at 7:50 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Section 49-5 of Chapter 49 entitled "Redemption of bicycles" as follows:

- D. Redemption of bicycles shall be made from the Riverhead Police Department during the hours of 8:30 a.m. to 3:30 p.m. Monday through Friday, excluding holidays.

Dated: Riverhead, New York
July 2, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

405

SETS IMPOUNDMENT AND STORAGE FEES FOR BICYCLES

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

WHEREAS Section 49-5(B) of the Riverhead Town Code requires the Town Board to set fees for the impoundment and storage of bicycles as removed by the Riverhead Town Police Department.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby establishes the following fee schedule in connection with the redemption of bicycles as set forth in Section 49-5(B) of the Riverhead Town Code:

- Fee for impoundment.....\$ 25.00 flat fee
- Fee for storage.....\$ 1.00 per day

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

Riverhead, New York
July 2, 1991.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Riverhead
THOMAS J. VINCIGLIONE, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,, Creighton, yes, Jnaoski, yes.

The resolution was thereupon duly declared adopted.

406

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE
TO CONSIDER AN AMENDMENT TO ARTICLE I "USE OF
DESIGNATED BEACH" OF CHAPTER 48 OF THE RIVERHEAD TOWN
CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider amending Section 48-2 "Restrictions on hours and dates of motor vehicle operation" of Chapter 48 of the Riverhead Town Code:

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of July, 1991, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider amending Section 48-2 "Restrictions on hours and dates of motor vehicle operation" of Chapter 48 of the Riverhead Town Code as follows:

48-2. Restrictions on hours and dates of motor vehicle operation.

No motor vehicle may be operated upon the beach between May 15 and September 15, both inclusive, in each year except between the hours of 6:00 p.m. and 9:00 a.m., except as herein provided, and except that motor vehicles may operate in the area East of Roanoke Landing to Reeves Cove at Reeves' Farm at any time for the purpose of sport fishing only.

Dated: Riverhead, New York
July 2, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

407

#

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE
TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 63A OF THE
RIVERHEAD TOWN CODE ENTITLED "GRAFITTI"

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider a local law to amend Chapter 63A of the Riverhead Town Code entitled "Grafitti":

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of July, 1991, at 8:00 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider a local law to amend Chapter 63A of the Riverhead Town Code entitled "Grafitti" at Section 63A-4 "Prohibited acts" as follows:

63A-4. Prohibited acts.

- C. No person shall sit on or otherwise deface any public property which is located within the Town of Riverhead, including but not limited to planters, trash disposal containers and/or windowboxes.

Dated: Riverhead, New York
July 2, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,
Creighton, yes, Janoski, yes

The resolution was thereupon duly declared adopted.

408

#

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE
TO CONSIDER AMENDING ARTICLE I "GENERAL PROVISIONS" OF
CHAPTER 108 OF THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Article I "General Provisions" of Chapter 108 at Section 108-3 entitled "Definitions":

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of July, 1991, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Article I "General Provisions" of Chapter 108 at Section 108-3 entitled "Definitions" as follows:

108-3. Definitions.

For the purposes of this chapter, certain terms and words are herewith defined as follows:

COMPUTERIZED ELECTRONIC MESSAGE CENTER - A computer-programmed display of temporary messages by means of individual lamps or flippers.

Dated: Riverhead, New York
July 2, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

409 APPOINTS AIDE TO SENIOR NUTRITION CENTER

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Prusinowski

RESOLVED, that Irene Robinson be and is hereby appointed to the position of Aide with the Town of Riverhead Senior Nutrition Center at the hourly rate of compensation of \$6.47 effective July 2, 1991; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Irene Robinson, Lyn McDonald and the Office of Accounting.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

APPROVES SITE PLAN OF RIVERHEAD RUBBISH, INC.

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

WHEREAS, a site plan and elevations were submitted by Spencer T. Fisher for the construction of a 10,000 square foot garage addition for storage and maintenance purposes located at north side of Youngs Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-80-2-14; and

WHEREAS, the Planning Department has reviewed the site plan dated June 6, 1991, as prepared by Gordon K. Ahlers, P.E., 188 Manor Lane, Jamesport, New York, 11947, and elevations dated December 10, 1990, as prepared by Spencer T. Fisher, Inc., P.O. Box 867, 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 and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Spencer T. Fisher, for the construction of a 10,000 square foot garage addition for storage and maintenance purposes, located at the north side of Youngs Avenue, Riverhead, New York, site plan dated June 6, 1991, as prepared by Gordon K. Ahlers, P.E., 188 Manor Lane, Jamesport, New York, 11947, and elevations dated December 10, 1990, as prepared by Spencer T. Fisher, Inc., P.O. Box 867, 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 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, RIVERHEAD RUBBISH ENTERPRISES hereby authorizes and consents to the Town of Riverhead to enter premises at north side Youngs 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;

13. That this approval is subject to the requirements of the Superintendent of Highways;

14. That Eastern Red Cedar, 3-4' in height on planting, shall be substituted for the Japanese Black Pine, as indicated on the site plan initialled by a majority of this Town Board;

15. That the metal storage trailers on site shall be removed, prior to the issuance of a certificate of occupancy, in compliance with Section 108-64.2 of the Code of the Town of Riverhead;

16. That the area denoted on the site plan approved herein as "existing asphalt paving" shall be supplemented to meet the paving requirements of the Code of the Town of Riverhead, in accordance with Zoning Board of Appeals Determination #91-17;

17. That a 12 mile vapor barrier shall be provided below the foundation of the addition; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Spencer T. Fisher, Riverhead Rubbish, Inc., the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1991, made by RIVERHEAD RUBBISH ENTERPRISES, residing at Youngs Avenue, Riverhead, New York, 11901, 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 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 this approval is subject to the requirements of the Superintendent of Highways;

13. That Eastern Red Cedar; 3-4' in height on planting, shall be substituted for the Japanese Black Pine, as indicated on the site plan initialled by a majority of this Town Board;

14. That the metal storage trailers on site shall be removed, prior to the issuance of a certificate of occupancy, in compliance with Section 108-64.2 of the Code of the Town of Riverhead;

15. That the area denoted on the site plan approved herein as "existing asphalt paving" shall be supplemented to meet the paving requirements of the Code of the Town of Riverhead, in accordance with Zoning Board of Appeals Determination #91-17;

16. That a 12 mile vapor barrier shall be provided below the foundation of the addition.

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

By: Bart Rossano for
RIVERHEAD RUBBISH ENTERPRISES

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

On the _____ day of _____, 1991, before me personally came BART ROSSANO, 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 north side Youngs Avenue, 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

411 APPROVES APPLICATION OF JAMESPORT FIRE DEPARTMENT

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

WHEREAS, Jamesport Fire Department submitted an application for the purpose of requesting permission to conduct a fireworks display to be held at the Jamesport Community Center, South Jamesport Avenue, South Jamesport, New York, on Saturday, July 20, 1991 (rain date Sunday, July 21, 1991) at 9:30 p.m.; and

WHEREAS, certificates of insurance, naming the Town of Riverhead as Additional Insured, as well as the required site plan have been received; 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 Jamesport Fire Department for the purpose of requesting permission to conduct a fireworks display at the Jamesport Community Center, South Jamesport Avenue, South Jamesport, New York, on Saturday, July 20, 1991 (rain date Sunday, July 21, 1991) at 9:30 p.m. be and is hereby approved; and be it further;

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski yes.

The resolution was thereupon duly declared adopted.

412

AWARDS BID FOR SNACK VENDORS FOR THE RIVERHEAD
RECREATION DEPARTMENT

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for snack vendors for the Riverhead Recreation Department; and

WHEREAS, bids were received, opened and read aloud on the 26th day of June, 1991, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for snack vendors for the Riverhead Recreation Department be and is hereby awarded as follows:

<u>LOCATION</u>	<u>VENDOR</u>	<u>AMOUNT</u>
Stotsky Park	Hildreth Booker	\$610.99
Iron Pier Beach	Sandra G. Tuthill	\$500.00

and be it further

RESOLVED, that the successful bidders shall provide the Town of Riverhead copies of any and all permits, certificates and proofs of insurance as required in the Snack Vendor Instructions and Proposal Form; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to xx and Recreation Department.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

AMINDS SITE PLAN BY CONCRETE PRODUCTS CORPORATION (DIVISION OF CENTER VALLEY CORPORATION)

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

Date _____

No. 413

COUNCILPERSON Civiletti offered the following resolution which was seconded by COUNCILPERSON Prusinowski.

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

BUDGET AJUSTMENT

001.012300.422051	Supervisors fees/charges	\$29,170.00
001.016250.541202	Shared Serv.,Town Dredging	\$14,500.00
001.014400.524000	Twn Engin. Field Equipment	720.00
001.081600.511500	Sanitation,Per. Sevices	5,000.00
001.081600.541520	Sanitation, Misc. Equip.	8,950.00

RESOLVED, that the Town Board of the Town of Riverhead does hereby approve the site plan of Frank E. Creter, Jr. to provide for the

modification to the plan and schedule as depicted on the site originally approved by the Riverhead Town Board, which site was prepared by Young & Young, 195 Central Avenue, Riverhead, New York, dated August 9, 1988, and last revised September 30, 1988.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Civiletti, yes.

The resolution was thereupon duly declared adopted.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Prusinowski, yes. The resolution was thereupon duly declared adopted.

414 AMENDS SITE PLAN OF CONCRETE PRODUCTS CORPORATION (DIVISION OF CRETER VAULT CORPORATION)

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

WHEREAS, by Resolution # 682, dated November 1, 1988, the Riverhead Town Board did approve the site plan of Frank E. Creter, Jr. for the construction of a 6,320 square foot metal building for industrial use located at the north side of Middle Road, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-100-2-4.4 & 4.6, and

WHEREAS, the covenants associated with the subject site plan were filed with the Suffolk County Clerk and a Building Permit application was made and approved, and

WHEREAS, Frank E. Creter, Jr. has requested that a modification of said site plan approval in regard to the construction of a 6,320 square foot metal building for industrial use be approved by the Riverhead Town Board, and

WHEREAS, the Planning Department has reviewed such modification and has recommended that the Town Board accept such modification, and

WHEREAS, this Town Board has reviewed the modification aforementioned;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does amend the site plan approval of Frank E. Creter, Jr. to provide for the following:

modification to the planting plan and schedule as denoted on the site plan originally approved by the Riverhead Town Board, which site plan was prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York, 11901, dated August 8, 1988, and last revised September 30, 1988, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Frank E. Creter, Jr., the Riverhead Planning Department, Building Department, Town Engineer, and Office of the Town Attorney.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

June 5, 1991

415 Appoints Beach Attendent To Riverhead Recreation Department

Councilman Creighton offered the following resolution and seconded by Councilman Stark.

RESOLVED, That Colby Rowe is hereby appointed to serve as Beach Attendent effective July 1, 1991 to and including September 2, 1991, to be paid bi-weekly at the rate of \$5.50 per hour and to serve at the pleasure of the Town Board.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#416 Appoints Beach Attendance to Riverhead Recreation Dept.

Councilman Creighton offered the following resolution which was seconded by Councilman Stark.

RESOLVED, that Lewis Goldstein is hereby appointed to serve as Beach Attendant effective July 3, 1991 to and including September 2, 1991 to be paid bi-weekly at a rate of \$5.50 per hour and to serve at the pleasure of the Town Board, and

RESOLVED, that Peter Gannon is hereby appointed to serve as Beach Attendant effective June 27, 1991 at the rate of \$5.50 per hour and to serve at the pleasure of the Town Board.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

June 27, 1991

417 Rescinds Lifeguard to Riverhead Recreation Department

Councilman Stark offered the following resolution which was seconded by Councilman Creighton

WHEREAS, David Bujnicki was appointed to serve as a Lifeguard effective June 22, 1991 to and including September 2, 1991.

WHEREAS, David Bujnicki has indicated his inability to serve.

BE IT THEREFORE RESOLVED, That the appointment of David Bujnicki made in a Town Board Resolution under date of June 18, 1991 be and is hereby rescinded.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

June 21, 1991

418 Appoints Lifeguard To Riverhead Recreation Department

Councilwoman Civiletti offered the following resolution and seconded by Councilman Prusinowski

RESOLVED, That Karl Johanson is hereby appointed to serve as Lifeguard effective June 21, 1991 to and including September 2, 1991, 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, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

June 5, 1991

419 Appoints Park Attendent To Riverhead Recreation
Department

Councilwoman Civiletti offered the following
resolution and seconded by Councilman Prusinowski

RESOLVED, That Ed Curto is hereby appointed to serve
as Park Attendent effective June 24, 1991 to and including
September 2, 1991, to be paid bi-weekly at the rate of
\$6.05 per hour and to serve at the pleasure of the Town
Board.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,
Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

June 5, 1991

420 Appoints Park Attendent To Riverhead Recreation
Department

Councilwoman Civiletti offered the following
resolution and seconded by Councilman Prusinowski

RESOLVED, That Richard Park is hereby appointed to serve
as Park Attendent effective June 24, 1991 to and including
September 2, 1991, to be paid bi-weekly at the rate of
\$5.50 per hour and to serve at the pleasure of the Town
Board.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,
Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

June 19, 1991

421
#_____ Appoints Lifeguard To Riverhead Recreation
Department

Councilwoman Civiletti offered the following
resolution and seconded by Councilman Prusinowski

RESOLVED, That Sharon Stark is hereby appointed to serve
as Lifeguard effective June 22, 1991 to and including
September 2, 1991, to be paid bi-weekly at the rate of
\$6.60 per hour and to serve at the pleasure of the Town
Board.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes
Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

APPOINTMENT OF LIFEGUARD ATTENDANT FOR THE TOWN OF
RIVERHEAD POLICE DEPARTMENT

Councilwoman Civiletti offered the following resolution
which was seconded by Councilman Prusinowski.

RESOLVED, that June 19, 1991

422 Appoints Lifeguard To Riverhead Recreation
Department

Councilwoman Civiletti offered the following
resolution and seconded by Councilman Prusinowski

RESOLVED, That Robert Stepnoski is hereby appointed to serve
as Lifeguard effective June 22, 1991 to and including
September 2, 1991, 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, Stark, yes, Prusinowski, yes, Civiletti, yes,
Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

423 APPOINTS PART-TIME DETENTION ATTENDANT WITH THE TOWN OF RIVERHEAD POLICE DEPARTMENT

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

RESOLVED, that Hugh Farrell, Jr. be and is hereby appointed to the position of Part-time Detention Attendant with the Town of Riverhead Police Department at the hourly rate of compensation of \$11.20 effective immediately; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chief Grattan, Hugh Farrell, Jr. and the Office of Accounting.

RESOLVED, that the bid for diesel fuel be and is hereby awarded to Agway Energy Products in the amount of \$1,000 per gallon; and be it further

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

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Agway Energy Products, the Purchasing Agent and the Municipal Garage.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

424AWARDS BID FOR DIESEL FUEL (MUNICIPAL GARAGE)

COUNCILPERSON Creighton 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 diesel fuel; and

WHEREAS, bids were received, opened and read aloud on the 10th day of June, 1991, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for diesel fuel be and is hereby awarded to Agway Energy Products in the amount of \$.0320 per gallon; and be it further

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

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Agway Energy Products, the Purchasing Agent and the Municipal Garage.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

425 AWARDS BID FOR #2 HEATING FUEL OIL (TOWNWIDE)

COUNCILPERSON Creighton 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 #2 heating fuel oil to be used in Town of Riverhead municipal buildings; and

WHEREAS, bids were received, opened and read aloud on the 10th day of June, 1991, at 11:20 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for #2 heating fuel oil to be used in Town of Riverhead municipal buildings be and is hereby awarded to Agway Energy Products in the amount of \$.0320 per gallon; and be it further

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

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Agway Energy Products and the Purchasing Agent.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

426

#

AWARDS BID FOR HEAVY EQUIPMENT TIRES FOR USE BY THE
SANITATION DEPARTMENT

COUNCILPERSON Creighton 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 heavy equipment tires for use by the Sanitation Department; and

WHEREAS, bids were received, opened and read aloud on the 10th day of June, 1991, at 11:20 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for heavy equipment tires for use by the Sanitation Department be and is hereby awarded as follows:

Item #1	Toce Brothers, Inc.	\$4,100.00
Item #2	Tire Supply Company of Suffolk	\$ 998.90

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 directed to forward a certified copy of this resolution to Toce Brothers, Inc, Tire Supply Company of Suffolk, the Purchasing Agent and the Sanitation Department.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

427

_____ AUTHORIZES ATTENDANCE OF OFFICERS AT SEMINAR

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

WHEREAS, July 11 & 12, 1991, are the scheduled dates for a "Crack" Enforcement Seminar to be held in Pennsylvania; and

WHEREAS, it is the desire of two Street Crime Unit officers from the Town of Riverhead Police Department to attend said seminar; and

WHEREAS, it is the recommendation of the Superiors of these two officers that they attend the aforementioned seminar.

NOW, THEREFORE, BE IT RESOLVED, that two officers from the Riverhead Police Department be and are hereby authorized to attend the "Crack" Enforcement Seminar to be held on July 11 & 12, 1991 in Pennsylvania; and

BE IT FURTHER RESOLVED, that all related expenses incurred by said officers will be fully receipted upon their return and thereafter reimbursed by the Office of Accounting; and

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

428 APPOINTS SECRETARY TO BOARD OF ASSESSMENT REVIEW

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

WHEREAS, a vacancy presently exists in the position of Secretary to the Board of Assessment Review.

NOW, THEREFORE, BE IT RESOLVED, that AMY DEMCHAK be and is hereby appointed to the position of Secretary to the Board of Assessment Review at the hourly rate of compensation of \$8.00 effective immediately; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Amy Demchak, Leroy Barnes, Jr. and the Office of Accounting.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

July 2, 1991

Appoints Lifeguard To Riverhead Recreation
Department

429
Appoints Lifeguard To Riverhead Recreation
Department

Councilman Prusinowski offered the following
resolution and seconded by Councilman Civiletti

RESOLVED, That Mark Curto is hereby appointed to serve
as Lifeguard effective July 8, 1991 to and including
September 2, 1991, to be paid bi-weekly at the rate of
\$8.80 per hour and to serve at the pleasure of the Town
Board.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,
Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

July 2, 1991

430 Appoints Tennis instructor to Riverhead Recreation
Department

Councilman Prusinowski offered the following
resolution and seconded by Councilwoman Civiletti

RESOLVED, That Mike Drozd is hereby appointed to serve
as Tennis Instructor effective July 2, 1991 to and
including September 2, 1991, to be paid bi-weekly at the rate
\$20.000 per hour and to serve at the pleasure of the Town
Board.

The vote, Stark, yes, Pruisnowski, yes, Civiletti, yes,
Creighton, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

RESOLUTION NO. 431 - SALVATION SITE

July 2, 1991

431 Appoints Tennis instructor to Riverhead Recreation Department

Councilman Prusinowski offered the following resolution and seconded by Councilwoman Civiletti

RESOLVED, That Lisa Drozd is hereby appointed to serve as Tennis Instructor effective July 2, 1991 to and including September 2, 1991, to be paid bi-weekly at the rate \$20.000 per hour and to serve at the pleasure of the Town Board.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

by Allen M. Stark, as agent for Nelson One, for the construction of a building and antenna and related improvements for use as a cellular telephone station, located at the west side of Town Road 20th Avenue, Calverton, New York, site plan dated last February 28, 1991, as prepared by Engineers Crutznacher, Architects, 19 Knickerbocker Road, Englewood, New Jersey, 07631, and elevations dated last February 28, 1991, as prepared by Engineers Crutznacher, Architects, 19 Knickerbocker Road, Englewood, New Jersey, 07631, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the amended 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.

APPROVES SITE PLAN OF METRO ONE - CALVERTON SITE

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

WHEREAS, a site plan and elevations were submitted by Allen M. Smith, as agent for Metro One for the construction of a building and antenna and related improvements for use as a cellular telephone station located at the west side of Fresh Pond Avenue, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-9-2-1.3; and

WHEREAS, the Planning Department has reviewed the site plan dated last February 28, 1991, as prepared by Juengert Grutzmacher, Architects, 19 Knickerbocker Road, Englewood, New Jersey, 07631, and elevations dated last February 28, 1991, as prepared by Juengert Grutzmacher, Architects, 19 Knickerbocker Road, Englewood, New Jersey, 07631, 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 Allen M. Smith, as agent for Metro One, for the construction of a building and antenna and related improvements for use as a cellular telephone station, located at the west side of Fresh Pond Avenue, Calverton, New York, site plan dated last February 28, 1991, as prepared by Juengert Grutzmacher, Architects, 19 Knickerbocker Road, Englewood, New Jersey, 07631, and elevations dated last February 28, 1991, as prepared by Juengert Grutzmacher, Architects, 19 Knickerbocker Road, Englewood, New Jersey, 07631, 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 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, SINA MAHFAR hereby authorizes and consents to the Town of Riverhead to enter premises at the west side of Fresh Pond Avenue, 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. 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; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, as agent for Metro One, Sina Mahfar, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

1. That the provisions of the attached final plan, 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 the site plan.

2. That the type, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan approval and sign permit procedures prior to being installed at the property; that all signage so proposed shall be constructed in accordance with design; and that all provisions of Section 108-13 of the Riverhead Town Code shall be complied with, and that all provisions shall be applied of said provisions as well as those of Section 108-110.7 and any requirements imposed as a condition of the site plan approval process.

3. No lighting shall be installed or otherwise be 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, "Zoning, Subdivisions and Signs Display," and agrees to abide by same.

THIS DECLARATION, made the _____ day of _____, 1991, made by SINA MAHFAR, residing at 300 Wheeler Road, Hauppauge, New York, 11901, 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 agrees to abide by same;

7/2/91

5. Parking, paving and drainage shall be ⁸⁵⁰ 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.

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

SINA MAHFAR

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1991, before me personally came SINA MAHFAR, 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 west side of Fresh Pond Avenue, Calverton, 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

COUNCILMAN Stark offered the following resolution, which

was seconded by COUNCILMAN Creighton

RESOLVED, that the SUPERVISOR be, and is hereby authorized to pay the following vouchers:9100 :9100

*****ACCOUNTS*****		*****TOTALS*****	
GENERAL TOWN	001		\$16,907.48
PARKING METER	002		
AMBULANCE	003		
POLICE ATHLETIC LEAGUE	004		\$977.00
TEEN CENTER	005		
RECREATION PROGRAM	006		\$401.33
HIGHWAY	111		\$7,249.12
WATER	112		\$19,815.26
REPAIR & MAINTENANCE	113		
SEWER	114		
STREET LIGHTING	116		\$802.98
PUBLIC PARKING	117		
HOSPITALIZATION SELF INSURANCE	174		\$6,517.26
RISK RETENTION	175		
UNEMPLOYMENT INSURANCE RESERVE	176		
ECONOMIC REVOLVING LOAN	178		
RESIDENTIAL REHAB	179		
DISCRETIONARY	180		\$12,562.00
CDBG CONSORTIUM ACCOUNT	181		\$6,750.00
SEWER DEBT	382		
WATER DEBT	383		
GENERAL TOWN DEBT	384		
SCAVENGER WASTE DEBT	385		
TOWN HALL CAPITAL PROJECTS	406		
EIGHT HUNDRED SERIES	408		
WATER IMPROVEMENTS	409		
TWO BEARS ESTATES	440		\$1,740.00
YOUTH SERVICE	452		
SENIORS HELPING SENIORS	453		
EISEP	454		
JOINT SCAVENGER WASTE	918		
MUNICIPAL FUEL	625		
MUNICIPAL GARAGE	626		\$5,197.38
TRUST & AGENCY	735		
*****GRAND TOTAL*****			\$78,919.81

434| APPROVES SPECIAL PERMIT APPLICATION OF WILLIAM KELLER

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

WHEREAS, by application dated April 24, 1991, William Keller did apply to this Town Board for a special permit to create a single-family residential use within an existing retail structure in the Business "D" Zoning Use District at premises located at Pulaski Street, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-123-4-70, said application made pursuant to Section 108-3 of the Code of the Town of Riverhead; and

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

WHEREAS, by letter dated June 19, 1991, the Planning Board recommended that the special permit of William Keller be approved; and

WHEREAS, on the 2nd of July, 1991, this Town Board held a public hearing wherein all persons wishing to be heard were heard; and

WHEREAS, by letter dated May 1, 1991, the Suffolk County Department of Planning has determined that the application is not within the jurisdiction of the Suffolk County Planning Commission; 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 special permit applied for will be a(n) Unlisted action without a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board determines as follows:

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 Town Board of the Town of Riverhead hereby approves the special permit application of William Keller for property located at Pulaski Street, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-123-4-70, pursuant to Section 108-3 of the Code of the Town of Riverhead; and be it further

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

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the special permit application of William Keller for property located at Pulaski Street, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-123-4-70, pursuant to Section 108-3 of the Code of the Town of Riverhead; and be it further

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

NOT PRESENT AT THIS MEETING: [Name]

07/02/91

TOWN OF RIVERHEAD
PUBLIC NOTICE#435RELOCATES REGULAR TOWN BOARD MEETING ON
AUGUST 6, 1991

PLEASE TAKE NOTICE that the location of the regular meeting of the Town Board of the Town of Riverhead on August 6, 1991, has been changed to the Jamesport Community Center, South Jamesport Avenue, South Jamesport, New York.

DATED: RIVERHEAD, NEW YORK
JULY 16, 1991
BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, TOWN CLERK

This resolution was discovered missing at the time of reviewing the minutes and resolutions for binding therefore; the resolution does not have a vote or adoption on it as the Town Clerk, Barbara Grattan, was not Town Clerk at the time and was not present at this meeting for vote and adoption.