

Date _____

No. 463

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

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

BUDGET ADOPTION
WATER EXTENSION #37R CAPITAL PROJECT

406.095731.494100.30037	Proceeds from Bonds	\$690,000.00
406.083200.523002.30037	Construction	\$490,000.00
406.083200.543501.30037	Engineering	80,000.00
406.083200.543315.30037	legal	20,000.00

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

The resolution was thereuopn duly declared adopted.

464 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS RE: FOR INSTALLATION OF WATER MAINS AND APPURTANCES FOR THE RIVERHAD WATER DISTRICT (MIDDLE ROAD TRANSMISSION MAIN - PLANT NO. 3)

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 attached notice to bidders for ~~for~~ the installation of water mains and appurtenances for the Riverhead Water District for the Middle Road Transmission Main for Plant No. 3.

DATED: Riverhead, New York
August 6, 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.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK
ACTING AS THE GOVERNING BODY
OF THE RIVERHAD WATER DISTRICT
IRENE J. PENDZICK, TOWN CLERK
TOWN OF RIVERHEAD
RIVERHEAD, NEW YORK

NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for Installation of Water Mains and Appurtenances for the Riverhead Water District, at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, NY 11901, at 11:00 A.M., prevailing time on Thursday, August 22, 1991, at which time and place all bids will be publicly opened and read for the following contract:

RDWD 88-52 MIDDLE ROAD TRANSMISSION MAIN
 FOR PLANT NO. 3

Contract documents, including drawings and technical specifications, are on file at the office of:

- (a) Town Clerk, Town of Riverhead
 Town Hall, 200 Howell Avenue
 Riverhead, NY 11901
- (b) Holzmacher, McLendon & Murrell, P.C.
 575 Broad Hollow Road
 Melville, NY 11747

Copies of the contract documents may be obtained at the above locations on or after Wednesday, August 7, 1991, upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits for Plans and Specifications will be refunded to bidders who return Plans and Specifications within ten (10) days in good condition; other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities and to accept the lowest responsible bid.

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

ACTING AS THE GOVERNING BODY
 OF THE RIVERHEAD WATER DISTRICT

IRENE J. PENDZICK, TOWN CLERK
 TOWN OF RIVERHEAD
 RIVERHEAD, NEW YORK

DATED: August 6, 1991

465

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE
TO CONSIDER AN ADDITION TO ARTICLE XXI "BUSINESS CR
DISTRICT (RURAL NEIGHBORHOOD BUSINESS) OF THE RIVERHEAD
TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an addition to Article XXI "Business CR District (Rural Neighborhood Business) at Section 108-110.2 "General lot, yard and height requirements":

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 20th day of August, 1991, at 7:40 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an addition to Article XXI "Business CR District (Rural Neighborhood Business) at Section 108-110.2 "General lot, yard and height requirements" as follows:

108-110.2. General lot, yard and height requirements.

H. Any lot in nonconforming residential use, or subsequently subdivided to leave a nonconforming residential use as a separate lot, must be subdivided so that such residential lot complies with the provisions for yard dimensions required by the Agriculture A Zoning Use District. Any subsequent alterations or expansion of nonconforming residential buildings shall comply with the requirements of the Agricultural A Zoning Use District.

Dated: Riverhead, New York
August 6, 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.

466 APPOINTS STEPHANIE WHIDDEN TO POSITION OF RECREATION SPECIALIST

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

WHEREAS, a vacancy exists in the Recreation Department due to the resignation of Rosemary Vequist as Recreation Specialist effective July 30, 1991; and

WHEREAS, the Recreation Department has indicated their desire to appoint Stephanie Whidden to this position.

NOW, THEREFORE, BE IT RESOLVED, that Stephanie Whidden is hereby appointed to the position of Recreation Specialist effective July 30, 1991 through September 2, 1991 at an hourly rate of \$10.00; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to forward a certified copy of this resolution to Stephanie Whidden; Ed Hudgins, Director of Program Evaluation; and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

Dated: August 6, 1991

BY ORDER OF THE TOWN BOARD OF THE TOWN OF BIVERHEAD

LEWIS J. PENDER, Town Clerk

Forwarded to representative addition(s)
*underscore representative addition(s)
The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

ADOPTS AMENDMENT TO ARTICLE I "GENERAL PROVISIONS" OF
CHAPTER 108 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 amend Article I "General Provisions" of Chapter 108 at Section 108-3 entitled "Definitions"; and

WHEREAS, a public hearing was held on the 16th day of July, 1991, at 7:45 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 amend Article I "General Provisions" of Chapter 108 at Section 108-3 entitled "Definitions" be and is hereby adopted 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.

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 Planning Department and the Building Department.

Dated: Riverhead, New York
August 6, 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)

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

The resolution was thereupon duly declared adopted.

ADOPTS AMENDMENT TO CHAPTER 49 "BICYCLES" OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amending Section 49-5 "Redemption of Bicycles" of Chapter 49 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 16th day of July, 1991, at 7:50 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 amending Section 49-5 "Redemption of Bicycles" of Chapter 49 of the Riverhead Town Code be and is hereby adopted 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.

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 Police Department.

Dated: Riverhead, New York
August 6, 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)

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

The resolution was thereupon duly declared adopted.

8/6/91

469

ADOPTS LOCAL LAW TO AMEND CHAPTER 63A OF THE RIVERHEAD TOWN CODE ENTITLED "GRAFITTI"

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider the adoption of a local law to amend Chapter 63A of the Riverhead Town Code entitled "Grafitti" at Section 63A-4 "Prohibited acts"; and

WHEREAS, a public hearing was held on the 16th day of July, 1991, at 8:00 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 the adoption of a local law to amend Chapter 63A of the Riverhead Town Code entitled "Grafitti" at Section 63A-4 "Prohibited acts" be and is hereby adopted as follows:

63A-4. Prohibited acts.

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

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 Riverhead Police Department.

Dated: Riverhead, New York
Police Department.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

*overstrike represents deletion(s)

**underscore represents addition(s)

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

The resolution was thereupon duly declared adopted.

RESOLUTION # 470 AUTHORIZES THE SUPERVISOR TO EXECUTE COVENANTS AND RESTRICTIONS FOR OSBORNE MEADOWS

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

WHEREAS, the Town of Riverhead has developed a subdivision comprised of twenty-one single family homes; and

WHEREAS, the Town of Riverhead desires to provide for the preservation of the standards and appearance of said subdivision subsequent to transfer of individual lots by the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby authorize the Supervisor to execute a Declaration of Covenants and Restrictions for this purpose, and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Andrea Lohneiss, Community Development Director.

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

The resolution was thereupon duly declared adopted.

DECLARATION OF COVENANTS AND RESTRICTIONS

THIS DECLARATION, made and dated the _____ day of _____, 1991, by the TOWN OF RIVERHEAD, a municipal corporation having an office at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as the "DECLARANT".

W I T N E S S E T H:

WHEREAS, the DECLARANT is the owner in fee simple of the premises more particularly described on SCHEDULE A annexed; and

WHEREAS, it is the specific intention of the DECLARANT that the premises be maintained as moderate priced single family housing;

NOW, THEREFORE, in consideration of the premises, the DECLARANT declares with respect to all parts of the property described in "SCHEDULE "A" annexed hereto that the property is and shall be held, transferred, sold, conveyed, and occupied subject to the covenants and restrictions hereinafter set forth:

ARTICLE I

DEFINITIONS

The following words when used in this Declaration or any supplement (s) or amended Declaration shall, unless the context otherwise prohibits, have the meanings set forth below:

(a) "Property" shall mean and refer to the real estate (described below in Article II), together with the appurtenances thereto, and any and all improvements thereon, or any portion thereof, as well as to any of the Lots contained therein.

(b) "Lot" shall mean and refer to any and each of the pieces or parcels of land numbered one (1) through twenty-one (21) inclusive, as shown on the Subdivisions Map referred to in Article II hereof, and particular Lots shall be identified herein according to the respective numbers appearing on such Subdivision Maps.

(c) "Developer" shall mean and refer to Town of Riverhead, its successors and assigns.

(d) "Owner" shall mean and refer to the record owner of fee simple title to any Lot, including the Developer with respect to an unsold Lot. Every record owner shall be treated for all purposes as a single owner for each Lot held, irrespective of whether such ownership is held jointly, in common, or tenancy by the entirety.

(e) As used herein, "Homeowners Association" shall refer to an association, corporation, organization or other voluntary or involuntary grouping of owners which may be formed by one or more owner, including the Town, subsequent to the date hereof, and which provides for the admissions of any and all Owners upon such reasonable terms and conditions as may be established for membership by the Owner or Owners who form or establish such Homeowners Association. All decisions of any such Association shall be made by at least a majority of owner-members in good standing. The purpose of such association shall be the preservation of Community appearance, standards and values, the enforcement of these covenants and restrictions, and the control of and jurisdiction over all portions of the Property, if any, owned in common by all the Owners.

ARTICLE II

PROPERTY SUBJECT TO THIS DECLARATION

The real property which is and shall be held, transferred, sold, conveyed and occupied subject to this Declaration is all that certain plot, described in the attached Schedule A which is made a part of the Declaration.

ARTICLE III

EASEMENTS

Section 1. Grant of Easements.

The Developer reserves to itself the right to dedicate any and all public roads, sumps and other areas of the Property set aside for walkways, parking areas, water lines, sanitary sewers, storm drainage facilities, gas lines, telephone and electric power lines, television cables and other public or private utility services to the municipality or an agency thereof. The Developer grants to each Owner the following easements pertaining to the Property:

- (i) Right-of-way for ingress and egress by vehicles or on foot, in, through, over, under and across the streets and roads, and, on foot alone, over the pedestrian walks and common areas thereon (as shown on the Subdivision Maps and as they may be built or relocated in the future) for all purposes; and
- (ii) At the expense of each Owner, rights to connect with and make use of utility lines, wires, conduits, cable television lines, sewers and drainage lines which may from time to time be in or along the streets and roads or other areas of the Property;

Section 2. Reservation of Easements.

Developer reserves for itself, the easements, licenses, rights and privileges of a right-of-way in, through, over, under and across the Property and, towards this end, reserves the right to grant and reserve easements and right-of-way in, through, under, over and across each respective Lot for the installation, maintenance and inspection of water lines, sanitary sewers, storm drainage facilities, gas lines, telephone and electric power lines, television cables and other public or private utilities and for any other materials or services necessary for the completion of permissible construction thereon; provided, however, that Developer agrees that it will not grant any such easement of right-of-way, in, through, under, over, or across the "required building areas" (as such term is defined in Article IV (1) hereof) of any Lot and that if Developer, shall grant any easement or right-of-way for the purpose of underground installations, Developer agrees to restore, or cause to be restored, the land to the condition immediately existing prior to such installation. The Developer also reserves for itself the right to connect with and make use of the utility lines, wires, pipes, conduits, cable television, sewers and drainage lines which may from time to time be in or along the streets and roads or other areas of the Property.

ARTICLE IV

USE OF PROPERTY

Particular Covenants and Restrictions.

The use of a Lot by an Owner or other occupant shall be subject to the rules, regulations and provisions of this Declaration and following covenants and restrictions:

- a. No nuisance shall be allowed upon the Lot nor shall any use or practice be allowed which is a source of annoyance to residents or which interferes with the peaceful possession and proper use of Property by its residents.
- b. All valid laws, zoning ordinances and regulations of all governmental bodies having jurisdiction over the Property shall be observed.
- c. Lots shall not be subdivided, sold or conveyed except as a whole.
- d. No boats, boat trailers, travel trailers, mobile homes, trailers, trucks, equipment, commercial vehicles larger than a light-duty pickup truck, unlicensed, uninsured or derelict vehicles, or any other similar property, shall be parked or stored within the Property unless parked or stored inside a garage. No cars shall be parked on a regular basis on street after 11:00 P.M.

- e. No commercial signs or advertisements shall be displayed on any Lot or vehicles parked on Lots within the Property by any Owner.
- f. Within the required building area of each Lot, the topography, final grade or drainage shall not be substantially altered or changed. Outside the required building area of each Lot the topography, grade or drainage shall not be altered or changed at all except by Developer.
- g. The Property shall be subject to such easements for maintenance of streets, driveways, parking areas, water lines, storm drainage facilities, telephone and electric power lines, television cables and other public or private utilities, as shall include also a right of ingress and egress sufficient to enable such maintenance.
- h. Lots in this subdivision shall be residential Lots, each Lot shall contain only one residence together with lawful accessory ~~structures~~ structures.
- i. Each Owner shall at all times comply in all respects with all government, health, fire and police requirements and regulations.
- j. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on the Property, except that dogs, cats, or other usual household pets may be kept on Lots provided that they are not kept, bred or maintained for commercial purpose.
- k. No residential structure shall be located on any Lot except within the "required building area" for that Lot, as defined by the Local municipal zoning authorities having jurisdiction and further subject to any limitations contained herein and noted on the filed subdivision map.
- l. Except to the extent that the applicable utility company shall be obligated to maintain and repair its lines, each Owner shall maintain and keep in good repair any and all lines, wires, pipes, conduits, cable lines, sewer drainage lines, street, road, driveway or walkway which may from time to time to time run through, over or under its Lot.
- m. All garbage cans, equipment and coolers shall be maintained in the rear of the dwellings or within garage areas to conceal them from view from roads or streets except on collection days.

Clothes lines shall not be visible from the streets, are not permitted in front yards and shall be limited to umbrella or leg-arm types. No string, rope or cable shall be attached to fencing for this purpose.

- n. No fence, unless consistent with the Town Code of the Town of Riverhead, shall be constructed.
- o. Private swimming pools may be constructed subject to Town of Riverhead Building Department and Zoning Board of Appeals approval on any Lot provided they are situated in the rear yard only.
- p. No satellite dishes or antennae or aerials shall be placed, erected, or located on the Lot or on the structures erected on the Lot unless completely screened from view from neighboring Lots, roads or streets.
- q. No boats shall be stored or maintained in the front yards of any dwellings.
- r. The Premises shall be maintained in a clean condition, free of debris, trash or rubbish. All exterior elements, including but not limited to siding, roofing, eaves, windows, doors, shutters, steps, railings and lights shall be maintained by the owner in good condition.

ARTICLE V

Section 1. Beneficiaries of Easements, Rights and Privileges

The easements, licenses, rights and privileges established, created and granted by this Declaration shall be for the benefit of, and restricted solely to, Town, the Owners, a Homeowners Association, and their respective heirs, executors and administrators, legal representatives, successors and assigns, and any Owner may grant the benefit of such easement, license, right or privilege to his tenants and guests and their immediate families for the duration of their tenancies or visits, but the same is not intended nor shall it be construed as creating any rights in or for the benefit of the general public.

Section 2. Duration and Amendment

The covenants and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by the Town, Homeowners Association or any of their respective heirs, executors and administrators, legal representatives, successors and assigns, subject to the right of

the Town to amend, alter, annul or repeal, in whole or part, the foregoing Covenants and Restrictions at any time with the consent of the Owner or Owners for the time being of any part of the premises herein described, and such right shall be effectual and may be exercised without consent of any adjacent Owners or lienors of this or any other property. However nothing in this Declaration shall be constructed as obligating the Town to supervise compliance with or to enforce these covenants and restrictions and no person shall have a cause of action against the Town.

Section 3. Limit to Developer's Obligation

Notwithstanding any provisions herein to the contrary, the Developer shall have no further obligations, duties or responsibilities pursuant to or resulting from this Declaration subsequent to closing of the twenty-first Lot.

Section 4. Notices

Any notice required to be sent to any Owner under the provisions of this Declaration shall be deemed to have been properly sent when mailed to the last known address of the person who appears as Owner at the time of such mailing.

Section 5. Severability

Invalidation of any of the covenants, limitations or provisions of this Declaration by judgment or court order shall in no way affect any of the remaining provisions hereof, and the same shall continue in full force and effect.

IN WITNESS WHEREOF, the foregoing Declaration has been executed by the Declarant on the day and year first above written.

IN WITNESS WHEREOF, the DECLARANT has hereunto set its hand and seal the day and year first above written.

TOWN OF RIVERHEAD

BY: JOSEPH F. JANOSKI, SUPERVISOR

STATE OF NEW YORK)

COUNTY OF SUFFOLK)

On the _____ day of _____, before me personally came JOSEPH F. JANOSKI, to me known and who, by me being duly sworn, did depose and say: that he resides at 200 Howell Avenue, Riverhead, New York; that he is Supervisor of the Town of Riverhead, the municipal corporation described in and which executed the foregoing instrument; that he knows the seal of the Town of Riverhead; that said seal affixed to this instrument is said seal; and that it was affixed thereto by order of the Town Board of the Town of Riverhead; and that he signed his name thereto by like order.

NOTARY PUBLIC

DESCRIPTION

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a monument set in the northerly side of Middle Road, distant 708.41 feet from the corner formed by the intersection of the northerly side of Middle Road and the easterly side of Mill Road, said point or place of beginning being the point where the westerly line of the premises being described and the easterly line of land of Bittersweet Farms, Inc., intersects said northerly side of Middle Road;

RUNNING THENCE along the said land of Bittersweet Farms, Inc., the following two (2) courses and distances:

- (1) North 15 degrees 27 minutes 00 seconds West 557.78 feet;
- (2) North 10 degrees 13 minutes 30 seconds West 729.55 feet to land now or formerly of Diana Ponzini and Cornelia Gatz;

THENCE along said last mentioned land North 9 degrees 59 minutes 30 seconds West 351.79 feet to the southerly side of land of Macon Montague;

THENCE along the southerly line of land of Macon Montague North 80 degrees 41 minutes 30 seconds East 259.50 feet to a monument in the westerly side of Osborne Avenue;

THENCE along the westerly side of Osborne Avenue South 46 degrees 40 minutes 30 seconds East 23.06 feet to the westerly side of land now of formerly of Donald and Motoko Cushing;

THENCE along the westerly line of said last mentioned land and land now or formerly of Edward W. and Denise B. Kline and land now or formerly of Philip K. and Lessa B. Allen and along land now or formerly of John and Minnie Langhorne and land now or formerly of Donald and Arthur Brown and along the westerly terminus of Constable Drive and along Lot 16 as shown on subdivision "Silver Linings Map No. 8175" the following two (2) courses and distances:

- (1) South 22 degrees 28 minutes 30 seconds East 509.71 feet;
- (2) South 23 degrees 05 minutes 00 seconds East 450.29 feet to the northerly side of land now or formerly of Edward A. and Jesse Teuber;

THENCE along the northerly and westerly side of land now or formerly of Edward A. and Jesse Teuber the following two (2) courses and distances:

- (1) South 64 degrees 32 minutes 50 seconds West 311.40 feet;
- (2) South 15 degrees 38 minutes 00 seconds East 656.83 feet to a point on the northerly side of Middle Country Road;

THENCE along the northerly side of Middle Country Road North 83 degrees 21 minutes 30 seconds West 202.11 feet to the point or place of BEGINNING.

DISTRICT: 0600 SECTION: 081.00 BLOCK: 01.00 LOT: 021.000

RESOLUTION 471 AUTHORIZING PUBLICATION OF NOTICE REGARDING
AFFORDABLE HOUSING PROGRAM

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

WHEREAS, the Town of Riverhead is undertaking the development of a residential subdivision known as Osborne Meadows, to be subsidized with federal funds; and

WHEREAS, the twenty-one homes are to be constructed for sale to low and moderate income first-time buyers.

THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached copy as a quarter page display advertisement in the Suffolk Life on Wednesday, August 7, 1991 and in the News Review on Thursday, August 8, 1991.

BE IT FURTHER RESOLVED, that a certified copy be provided to Andrea Lohneiss, Community Development Director.

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

The resolution was thereupon duly declared adopted.

8/6/91

913/H PAAK

TOWN OF RIVERHEAD
AFFORDABLE HOUSING PROGRAM

The Town of Riverhead is undertaking the development of a residential subdivision known as Osborne Meadows to include construction of 21 single family detached homes for sale through a lottery to qualified low and moderate income families. Applicants must not have owned a home within the last three years and must be able to meet the mortgage qualifying requirements. Purchase prices will range from \$64,000 to \$69,000.

To qualify for homeownership applicants must have total household incomes below the following limits.

FAMILY SIZE

MAXIMUM ANNUAL INCOME

1	\$26,600
2	\$30,400
3	\$34,200
4	\$38,000
5	\$41,050
6	\$44,100
7	\$47,100
8	\$50,150

Application packages are available at:

Town Clerk's Office
200 Howell Avenue
Riverhead, New York 11901

Community Development Office
200 Howell Avenue
Riverhead, New York 11901

All applications must be completed in full and returned to the Town of Riverhead, P.O. Box 893, Riverhead, New York 11901 on or before August 31, 1991.

This project is a joint venture of the Town of Riverhead and the United States Department of Housing and Urban Development. No person shall on the grounds of race, color, national origin, age, or handicap, be excluded from participation in or be subjected to discrimination in any program or activity funded, in whole or in part, by Federal funds.

Date _____

No. 472

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

BE IT RESOLVED, that the Supervisor be and hereby is, authorized to establish the following Budget Adjustment:

**BUDGET ADJUSTMENT
FOR THE
SEWER DISTRICT**

114.081300.542503 Chlorine & Chemicals \$4,500.00

114.081300.549000 Miscellaneous \$4,500.00

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

The resolution was thereupon duly declared adopted.

Date _____

No. 473

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

BE IT RESOLVED, that the Supervisor be and hereby is, authorized to establish the following Budget Adjustment:

BUDGET ADJUSTMENT
FOR THE
SEWER DISTRICT

918.081890.524600	Office Equipment	\$ 500.00
918.018190.524900	Misc.Plant Equip.	1,900.00
918.081890.541500	Vehicle repair/service	1,500.00
918.081890.542303	Supplies/first-aid	1,500.00
918.081890.546300	Gas,Oil & Diesel Fuel	1,000.00
918.081890.543504	Engineering Consult.	1,500.00
918.081890.541416	Replace & Improve.	\$2,400.00
918.081890.542506	Plant supplies	5,500.00

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

The resolution was thereupon duly declared adopted.

8/6/91

916

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF AUCTION
OF ABANDONED VEHICLES AND ALL OTHER UNCLAIMED PROPERTY
BEING HELD BY THE POLICE DEPARTMENT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following Notice of Abandoned Vehicles to be sold at Public Auction on September 7, 1991 at 9:00 A.M., pursuant to Section 224 of the Vehicle and Traffic Law of the State of New York, to be held at the Riverhead Town Impound Area, located on Route 58 in the Town of Riverhead. Vehicles may be inspected prior to the auction on September 6, 1991 between the hours of 10:00 A.M. to 3:00 P.M.

BE IT FURTHER, that any and all other unclaimed property being held by the Police Department will also be available for public auction on September 7, 1991.

AV-01-91	1978	Toyota Corolla	KE30292950	WHITE
AV-02-91	1974	Oldsmobile 2dsd	3B27D4W122104	MAROON
AV-03-91	1976	Toyota Corolla	RT105034330	BROWN
AV-04-91	1977	Porsche 924	9247234982	YELLOW
AV-05-91	1977	Chev. Caprice	1L69U71176275	GREEN
AV-06-91	1978	Chev. Monza	M1548U155816	BLUE
AV-07-91	1982	Mazda 2dsd	JM1BD231XC0621067	GRAY
AV-08-91	1977	Ford Pinto Wagon	7T12Y112311	BLUE
AV-09-91	1979	Ford Mustang	9F05T254397	GRAY
AV-10-91	1977	Chev. Camaro	1R87D7N540050	BLUE
AV-11-91	1982	Datsun 4dsd	JN1HB11S1CU503409	TAN
AV-12-91	1972	Dodge 4dsd	LL41C2R248756	BROWN
AV-13-91	1980	Mazda Pickup	PEM7606582	WHITE
AV-14-91	1978	Chevrolet Pickup	CCL148B169739	TAN
AV-15-91	1974	Ford Matador	A4C168H229071	RED
AV-16-91	1978	Pontiac 2dsd	2D27U8P596416	RED
AV-17-91	1980	Chev. Citation	1X687A6342034	WHITE
AV-18-91	1974	Volkswagon Bug		RED
AV-19-91	1981	Honda 2dsd	JHMWD552XBS012734	GRAY
AV-20-91	1965	International	FC120208A	GRAY
AV-21-91	1981	Datsun Pickup	JN6MD06Y1BW009838	BLUE
AV-22-91	1972	Pontiac Lemans	2637M20120745	GREEN
AV-23-91	1985	Volkswagon	1VWBA0177FV048895	BLUE
AV-24-91	1978	Pontiac Catalina	2L37Y48P16186	BROWN
AV-25-91	1976	Chev. Monza	1M27B62125690	WHITE
AV-26-91	1981	Mazda GLC	JM1BD2218B0503311	GRAY
AV-27-91	1978	Pontiac Stationwagon	2M15V8U512767	BLUE
AV-28-91	1980	Chev. Citation	1X685AT257068	DARK BLUE
AV-29-91	1980	Chev. Chevette	1B089AY350701	YELLOW
AV-30-91	1982	Ford Escort	1FABP0623CW180577	RED
AV-31-91	1973	BMW 2dsd	2533901	DARK GRAY
AV-32-91	1979	Oldsmobile Delta 88	3L69Y9M258695	BLUE
AV-33-91	1980	Pontiac Lemans	2F19KAB100891	BROWN
AV-34-91	1981	Dodge Omni	1B3BL18A5BD224316	BLUE
AV-35-91	1976	Chev. Nova	1X27Q6T150935	MAROON
AV-36-91	1981	Chev. 4 dr.	1G1AT69K8BD412075	TAN
AV-37-91	1985	Buick Skylark	1G4X859R7FW4799922	BLUE
AV-38-91	1976	Chev. Chevette	1B0BE6Y83886	GRAY
AV-39-91	1987	Chevrolet Van	1GCCG15H7H7181887	MAROON
AV-40-91	1984	Buick 4dsd	1G4AP69Y8EH801470	WHITE
AV-41-91	1978	Toyota Corolla	KE30292950	WHITE
AV-42-91	1978	Mercury 2dsd	8W33L511417	BLUE
AV-43-91	Unk.	Suzuki Motorcycle	A100-212772	RED
AV-44-91	60-70	Great Dane Trailer	40' #46705	SILVER
AV-45-91	Unk.	Trailer Mobile Home		TAN

#475 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER DELETING CHAPTER A114 "POLICE RULES AND REGULATIONS" FROM THE RIVERHEAD TOWN CODE

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

WHEREAS, procedures for conduct, rules and regulations of Officers, Detectives and other members of the Riverhead Police Department were adopted, by resolution of the Town Board, on December 19, 1972; and

WHEREAS, changes to said procedures, rules and regulations are made, from time to time, by conducting public hearings and subsequent adoptions, which procedure is lengthy and time-consuming; and

WHEREAS, it is the desire of the Town Board to permit the Chief of Police to make and enforce the procedures, rules and regulations of the Riverhead Police Department.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider deleting the current Chapter A114 "Police Rules and Regulations" from the Riverhead Town Code:

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 20th day of August, 1991, at 7:50 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider deleting the current Chapter A114 "Police Rules and Regulations" from the Riverhead Town Code, which chapter may be reviewed in its entirety at the Office of the Town Clerk during normal business hours, Monday through Friday, from 8:30 a.m. to 4:30 p.m., and replacing it with the following:

CHAPTER A114

POLICE RULES AND REGULATIONS

A copy of the Police Rules and Regulations shall be filed in the Town Clerk's Office. Whenever it is necessary to amend the procedures, rules and regulations governing the Officers, Detectives and all other members of the Riverhead Police Department, the Chief of Police shall post said proposed amendments on the signboard in the Riverhead Police Station and forward said amendments to the Town Clerk's Office. Said rules and regulations, and any amendments thereto, shall be authorized by resolution of the Town Board. The Town Clerk shall post the

rules and regulations and any amendments thereto at least ten (10) days prior to adoption by the Town Board.

Dated: Riverhead, New York
August 6, 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.

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.

476 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW DELETING CHAPTER 61 "ENVIRONMENTAL QUALITY REVIEW" FROM THE RIVERHEAD TOWN CODE

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

WHEREAS, Local Law No. 1-1977 entitled "Envirionmental Quality Review" was adopted by the Town Board on March 31, 1977; and

WHEREAS, all applications affecting environmental concerns are governed by Part 617 of Title 6 of the New York Codes, Rules and Regulations (SEQRA) and Environmental Conservation Law, which override local legislation; and

WHEREAS, it is the intention of the Town Board to eliminate this chapter from the Code of the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider a local law deleting Chapter 61 "Environmental Quality Review" from the Riverhead Town Code:

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 20th day of August, 1991, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider a local law deleting Chapter 61 "Environmental Quality Review" from the Riverhead Town Code, which chapter may be reviewed, in its entirety, at the Office of the Town Clerk during normal business hours Monday through Friday from 8:30 a.m. to 4:30 p.m. All matters pertaining to environmental concerns are governed by Part 617 of Title 6 of the New York Codes, Rules and Regulations and Environmental Conservation Law.

Dated: Riverhead, New York
August 6, 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.

477 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER DELETING CHAPTER 11 "CIVIL SERVICE" FROM THE RIVERHEAD TOWN CODE

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

WHEREAS, Chapter 11 entitled "Civil Service" was adopted by the Town Board of the Town of Riverhead on June 20, 1965, as Ordinance No. 32 which extended the benefits and protections afforded by Civil Service Law of the State of New York to the employees of the Town of Riverhead; and

WHEREAS, the employees are protected by the Civil Service Law of the State of New York and by negotiated contracts; and

WHEREAS, it is the desire of the Town Board of the Town of Riverhead to eliminate this chapter of the Riverhead Town Code.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider deleting Chapter 11 "Civil Service" from the Riverhead Town Code:

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 20th day of August, 1991, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider deleting Chapter 11 "Civil Service" from the Riverhead Town Code. The benefits and protections described in said chapter are afforded to the employees of the Town of Riverhead by the Civil Service Law of the State of New York. A copy of Chapter 11 may be reviewed at the Office of the Town Clerk during normal business hours, Monday through Friday from 8:30 a.m. to 4:30 p.m.

Dated: Riverhead, New York
August 6, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

478 ^{8/6/91} AUTHORIZES TOWN CLERK TO PUBLISH NOTICE OF PUBLIC HEARING ⁹²¹ FOR SPECIAL PERMIT OF EDWARD CLARK

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

WHEREAS, the Riverhead Town Board is in receipt of a petition for a Special Permit for a gas service station, convenience store, and car wash upon land within the Industrial B Zoning Use District (Suffolk County Tax Map Number 0600-124-3-21.1); such petition made by Edward Clark, and

WHEREAS, the Riverhead Town Board, as Lead Agency, has determined the application to be an Unlisted Action without a significant impact upon the environment, and

WHEREAS, a Notice of Non-Significance has been posted as required by the New York State Environmental Conservation Law, and

WHEREAS, the Suffolk County Planning Commission has reviewed the petition as required by the Suffolk County Charter and has indicated that the application is a matter for local determination, and

WHEREAS, the Riverhead Town Board has referred the petition to the Riverhead Planning Board for its report; such Planning Board making its findings and recommending that the Town Board approve the subject petition, and

WHEREAS, the subject Special Permit petition requires a public hearing in accordance with Section 108-3 of the Riverhead Town Code; such hearing to be held on August 20, 1991, at 8 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Clerk is hereby authorized to publish the following notice of public hearing in the matter of the Special Permit petition of Edward Clark in the August 7, 1991, edition of the Suffolk County Life.

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 20th day of August, 1991, at 8:00 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the Special Permit application of Edward Clark for a gasoline service station, convenience store, and car wash upon land within the Industrial B Zoning Use District; Suffolk County Tax Map Number 0600-124-3-21.1.

Dated: Riverhead, New York
August 1, 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.

479 ^{8/6/91} AUTHORIZES TOWN CLERK TO PUBLISH NOTICE OF PUBLIC HEARING ⁹²² FOR
SPECIAL PERMIT OF 721 EAST MAIN STREET CORPORATION

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

WHEREAS, the Riverhead Town Board is in receipt of a Special Permit petition from the 721 East Main Street Corporation for a recreational use on a parcel of land located within the Business C Zoning Use District (Suffolk County Tax Map Number 0600-127-7-20.1), and

WHEREAS, the Riverhead Town Board, as Lead Agency, has determined the application to be an Unlisted Action without a significant impact upon the environment and that an Environmental Impact Statement will not be prepared, and

WHEREAS, the Planning Director has published those notices of non-significance as required by the New York State Environmental Conservation Law, and

WHEREAS, the Riverhead Town Board has referred the application to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending approval of the Special Permit, and

WHEREAS, the Riverhead Town Board has referred the application to the Suffolk County Planning Commission for its report and recommendation as required by the Suffolk County Charter; such Planning Commission considering the subject application a matter for local determination, and

WHEREAS, Section 108-3 of the Riverhead Town Code requires a public hearing on this Special Permit of the Riverhead Town Board; such hearing to be held on August 20, 1991, at 8:05 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York:

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Clerk is hereby authorized to publish the following notice of public hearing in the matter of the Special Permit petition of 721 East Main Street in the August 7, 1991, edition of the Suffolk County Life.

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 20th day of August, 1991, at 8:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the Special Permit application of 721 East Main Street Corporation for a recreational use on a parcel of land located within the Business C Zoning Use District; Suffolk County Tax Map Number 0600-127-7-20.1.

Dated: Riverhead, New York
August 1, 1991

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

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

The resolution was thereupon duly declared adopted.

480

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AMENDING ARTICLE III "TRAFFIC REGULATIONS" OF THE RIVERHEAD TOWN CODE AT SECTION 101-3 "STOP AND YIELD INTERSECTIONS; RAILROAD CROSSINGS"

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 an amendment to Article III "Traffic Regulations" of the Riverhead Town Code at Section 101-3 "Stop and yield intersections; railroad crossings":

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 20th day of August, 1991, at 8:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Article III "Traffic Regulations" of the Riverhead Town Code at Section 101-3 "Stop and yield intersections; railroad crossings" as follows:

ARTICLE III

Traffic Regulation

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>Hulse Avenue</u>	<u>6th Street</u>	<u>North & South</u>

Dated: Riverhead, New York
August 6, 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.

481

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on August 20, 1991, at 7:30 o'clock P.M. prevailing time.

PRESENT:

Joseph F. Janoski

Supervisor

Councilwoman Civiletti

Councilperson

Councilman Prusinowski

Councilperson

Councilman Stark

Councilperson

Councilman Creighton

Councilperson

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

In the Matter
of

The increase and improvement of the facilities of the Riverhead Water District in the Town of Riverhead, Suffolk County, New York.

ORDER CALLING PUBLIC
HEARING

WHEREAS, by previous resolution, the Riverhead Town Board, as governing body of the Riverhead Water District, authorized the construction of water mains to serve Extension 37R at a total cost not to exceed \$970,000, based upon a map and plan prepared by H2M, consulting engineers, dated August, 1988, and

WHEREAS, public bids were advertised and received May 23, 1991, for a base bid cost of construction totaling \$402,987.20, and alternate construction of transmission mains in the beds of Fresh Pond Avenue, Edwards Avenue, and South Path, at a bid cost of \$165,228.60, and

WHEREAS, the engineer and the Superintendent of the District advise that the installation of the alternate bid transmission

main will relocate the existing high zone to include extension 37R which will be beneficial to the District as a whole, and

WHEREAS, this Board desires to call a public hearing pursuant to Section 202-b of the Town Law to hear public comment regarding the construction of the alternate transmission main in the beds of Fresh Pond Avenue, Edwards Avenue and South Path at a cost of \$165,228.60 to be paid from the previously authorized funds and at no increase thereto,

NOW, THEREFORE, IT IS HEREBY

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

PLEASE TAKE NOTICE that a public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on August 20, 1991, at 8:15 o'clock p.m., prevailing time, on the question of whether to authorize the award of the alternate bid for the construction of transmission mains in the beds of Fresh Pond Avenue, Edwards Avenue, and South Path, to be included as part of Extension No. 37R of the Riverhead Water District to Francis Bros. Sewer and Drainage, Inc. of East Patchogue at a cost of \$165,228.60 to be paid from previously authorized funds and at no cost to the District as a whole,

and be it further

ORDERED, that the Town Clerk is hereby authorized and directed to cause a copy of the above notice of public hearing to be published once in the Suffolk Life Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made no less than ten, nor more than twenty days before the date designated for the public hearing,

and be it further

ORDERED, this order shall take effect immediately.

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

<u>Superviosr Janoski</u>	<u>voting yes</u>
<u>Councilman Stark</u>	<u>voting yes</u>
<u>Councilwoman Civiletti</u>	<u>voting yes</u>
<u>Councilman Prusinowski</u>	<u>voting yes</u>
<u>Councilman Creighton</u>	<u>voting yes</u>

Date _____

No. 482

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 Adoption.

BUDGET ADOPTION
GRANGEBEL PARK IMPROVEMENT CAPITAL PROJECT

406.071100.485500.90001	Trans.from CDBG Consort.	\$	67,500.00
406.071100.471201.90001	Townscape Contribution		15,000.00
406.071100.492400.90001	State Aid		48,000.00
406.071100.481900.90001	Transfer/Rec.Devel.Fees		40,000.00

406.071100.523011.90001	Construction		\$160,000.00
406.071100.543505.90001	Engineering		5,500.00
406.071100.547900.90001	Contingency		5,000.00

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

483 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED
AD: RE: MAINTENANCE MECHANIC II, STREET LIGHTING
DISTRICT

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 "Help Wanted" ad in the August 14,
1991 issue of the official Town newspaper for the position of
Maintenance Mechanic II with the Town of Riverhead Street
Lighting District.

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a
qualified individual to serve in the position of Maintenance
Mechanic II with the Town of Riverhead Street Lighting District.
Applicants should be in good physical condition and possess a
valid Class 3 New York State drivers license and 2 years
experience in a trade, i.e.: plumbing, electrical. Interested
individuals must submit an application to the Accounting
Department, 200 Howell Avenue, Riverhead, New York, 11901 between
the hours of 8:30 am and 4:30 pm weekdays. No applications will
be accepted, for this position, after August 23, 1991. The Town
of Riverhead does not discriminate on the basis of race, color,
national origin, sex, age or handicapped status in employment or
the provision of services.

BY ORDER OF THE RIVERHEAD TOWN BOARD
Irene J. Pendzick, Town Clerk

DATED: August 6, 1991
Riverhead, New York

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

The resolution was thereupon duly declared adopted.

8/6/91

***PLEASE NOTE: MISNUMBERED
PAGE NOS. 928-938 INADVERTENTLY
OMITTED***

939

484 AUTHORIZES TOWN CLERK TO PUBLISH AND POST 'HELP WANTED
AD: RE: AUTO MECHANIC II, MUNICIPAL GARAGE

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 "Help Wanted" ad in the August 14,
1991 issue of the official Town newspaper for the position of
Auto Mechanic II with the Town of Riverhead Municipal Garage.

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a
qualified individual to serve in the position of Auto Mechanic II
with the Town of Riverhead Municipal Garage. Applicants should
be in good physical condition and possess a valid New York State
drivers license and 3-5 years Auto Mechanic experience.
Interested individuals must submit an application to the
Accounting Department, 200 Howell Avenue, Riverhead, New York,
11901 between the hours of 8:30 am and 4:30 pm weekdays. No
applications ill be accepted, for this position, after August 23,
1991. The Town of Riverhead does not discriminate on the basis
of race, color, national origin, sex, age or handicapped status
in employment or the provision of services.

BY ORDER OF THE RIVERHEAD TOWN BOARD
Irene J. Pendzick, Town Clerk

DATED: August 6, 1991
Riverhead, New York

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

The resolution was thereupon duly declared adopted. -

485 AWARDS BID FOR GRANGEBEL PARK IMPROVEMENTS

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 Grangebél Park Improvements; and

WHEREAS, bids were received, opened and read aloud on the 8th day of July, 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 Grangebél Park Improvements be and is hereby awarded to Seacoast Dock Builders, Inc. in the amount of one hundred fifty-nine thousand two hundred fifteen and 00/100 (\$159,215.00) dollars; 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 Seacoast Dock Builders, Inc., the Town Engineer and the Recreation Department.

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

The resolution was thereupon duly declared adopted.

486 AUTHORIZES RIVERHEAD WATER DISTRICT TO CONTRACT TO PURCHASE FROM AGWAY, INC., 0.2985 ACRES ON PULASKI STREET, RIVERHEAD, NEW YORK

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

WHEREAS, the Riverhead Water District wishes to expand its plant site on Pulaski Street, Riverhead, New York, and

WHEREAS, Agway, Inc. has agreed to sell a portion of the premises adjoining the existing plant on the west, consisting of 0.2985 acres, for the sum of \$15,000., and

WHEREAS, said sum is consistent with the appraisal heretofore made for the Riverhead Water District and any costs of condemnation, and

WHEREAS, Pierre G. Lundberg, special counsel to the Riverhead Water District, has approved of the form of the proposed contract of sale annexed to this resolution;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board as governing body of the Riverhead Water District, that the Supervisor or Deputy Supervisor be empowered to execute a contract of sale in the form annexed hereto.

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

The resolution was thereupon duly declared adopted.

8/6/91

942

PURCHASE AGREEMENT
(Real Property)
(Agway as Seller)

THIS AGREEMENT made this ____ day of _____, 1991 by and between AGWAY, INC., a Delaware corporation having its principal offices at 333 Butternut Drive, DeWitt, New York [mailing address: P.O. Box 4933, Syracuse, New York 13221, Attention: Real Estate Department ("Seller") and TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK ON BEHALF OF RIVERHEAD WATER DISTRICT, 200 Howell Avenue, Riverhead, New York 11901, ("Purchaser").

W I T N E S S E T H:

For good and valuable consideration, the receipt of which is hereby acknowledged, the parties, intending to be legally bound, covenant and agree as follows:

1. Seller agrees to sell and convey and Purchaser agrees to purchase that parcel of land of the Seller located in New York described as follows: 0.2985± acre vacant land located off Pulaski Street in the County of Suffolk, Town of Riverhead, State of New York. For a more particular description, see Exhibit "A".

2. The Purchaser agrees to pay to the Seller the total sum of Fifteen Thousand Dollars (\$15,000) for said property; the Purchaser shall pay to the Seller the sum of One Thousand Five Hundred Dollars (\$1,500) as a down payment upon execution of this Agreement and the balance of the total purchase price by certified or bank check upon closing of title.

3. Seller shall convey said premises to the Purchaser by bargain and sale deed in proper form for recording. The said deed shall be prepared, duly executed and acknowledged by Seller all at Seller's expense, so as to convey to Purchaser fee simple title to said premises free and clear of all liens, encumbrances and tenancies, except as herein stated. The real estate transfer tax imposed by Article 31 of the Tax Law of New York shall be paid by Seller.

4. This sale includes all right, title and interest, if any, of Seller in and to any land lying in the bed of any streets and roads abutting the above described property to the center lines thereof.

5. Taxes shall be apportioned as of the date of delivery of the deed.

6. Seller represents that it has good and marketable title to the premises in fee simple, free of liens and

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encumbrances, and that it will convey such title to Purchaser subject, however, to any and all conditions, covenants, easements and restrictions of record so long as they do not ~~materially~~ interfere with Purchaser's intended use of property.

7. If Purchaser desires an abstract of title or a survey, or both, the cost of same shall be at the Purchaser's expense.

8. In the event that Seller is unable to convey title in accordance with the terms of this Agreement, the sole liability of the Seller shall be to refund to the Purchaser the amount paid hereunder and upon such refund and payment being made this contract shall be considered canceled and neither party shall have any claims or rights against the other.

9. Possession shall be given to Purchaser on closing.

10. This sale shall be closed, the payment made and the deed delivered at the office of Seller's attorney on October 1, 1991, or by mail, or at such other place and upon such other date as shall be mutually agreed upon by the parties.

11. Risk of loss or damage to said premises by fire or other casualty until delivery of the deed is assumed by the Seller; and if loss or damage occurs, Purchaser shall have the right either to enforce the contract at a purchase price which shall be reduced in proportion to the damage sustained, or to declare the contract canceled and receive back any money paid to the Seller.

12. The Purchaser covenants and represents that there is no real estate broker or other agent involved in this transaction and that the Purchaser agrees to defend, indemnify and hold harmless the Seller from any claim for commission by anyone whomsoever arising out of this transaction. This provision shall survive the closing of this transaction.

13. The Seller's obligations hereunder are subject to the approval of Agway Senior Management and the Board of Directors of Seller, and if said approval is not obtained, the monies paid hereunder shall be returned to the Purchaser and this Agreement shall be canceled and neither party shall have any claims, or rights against the other. Seller's signing this Agreement constitutes the aforesaid approval.

14. The obligations of Purchaser under this Agreement are subject to the condition that at or prior to closing, Purchaser shall have received final approvals and all necessary permits under applicable zoning and subdivision approval and other land use laws and regulations (including,

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but not limited to building and highway permits) from all appropriate governmental authorities. If such approvals and permits are not so obtained, the monies paid hereunder shall be returned to Purchaser, this Agreement shall be canceled and neither party shall have any claims or rights against the other so long as appropriate governmental authorities processing applications required to obtain subdivision approval, Purchaser shall be entitled, if necessary, to extend the closing date to November 1, 1991.

15. Purchaser shall furnish to the Internal Revenue Service the information required concerning this real estate transaction in order to comply with the reporting requirements of Section 6045 of the Internal Revenue Code of 1986 (Section 1521 of the Tax Reform Act of 1986) and Seller shall provide Purchaser with all information required to complete this sale in respect to the Seller.

16. This Agreement may be assigned by the Seller. Purchaser shall not assign Purchaser's rights or obligations under this Agreement without the prior written consent of Seller.

17. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors, permitted assigns and heirs and legal representatives. This Agreement may not be changed or terminated except by the written agreement of all parties.

18. Seller will disclose to Purchaser prior to closing all information in Seller's possession concerning the condition of the subject premises.

19. If Purchaser fails or refuses to comply with the conditions assumed by Purchaser, or to perform all Purchaser's obligations hereunder, Seller shall have the right to hold and retain the initial deposit money and any additional funds paid or deposited by Purchaser, as liquidated damages and not as a penalty for breach of this Agreement, and rescind and terminate this Agreement, whereupon all rights and obligations hereunder shall cease and terminate.

20. Purchaser covenants and agrees that the property being sold hereby shall not be used for the sale, storage or distribution of feed, seed, fertilizer, farm chemicals, farm supplies or petroleum products for a period of ten (10) years immediately after the date of closing. This agreement shall survive the closing and be included in the deed as expressly running with the land.

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IN WITNESS WHEREOF, the parties have duly executed this Agreement the day and year first above written.

AGWAY, INC. (Seller)

By: _____

As: _____

RIVERHEAD WATER DISTRICT
(Purchaser)

By: _____

As: _____

Notary Public

Notary Public

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IN WITNESS WHEREOF, the parties have duly executed this Agreement the day and year first above written.

AGWAY, INC. (Seller)

By: _____

As: _____

RIVERHEAD WATER DISTRICT
(Purchaser)

By: _____

As: _____

STATE OF

COUNTY OF

On this _____ day of _____, 1991, before me, _____, a Notary Public in and for the State of _____, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Notary Public

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

On this ___ day of ___, 1991, before me personally came ___ to me known, who being by me duly sworn, did depose and say that he resides at ___ that he is the ___ of AGWAY, INC.; the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed h name thereto by like order.

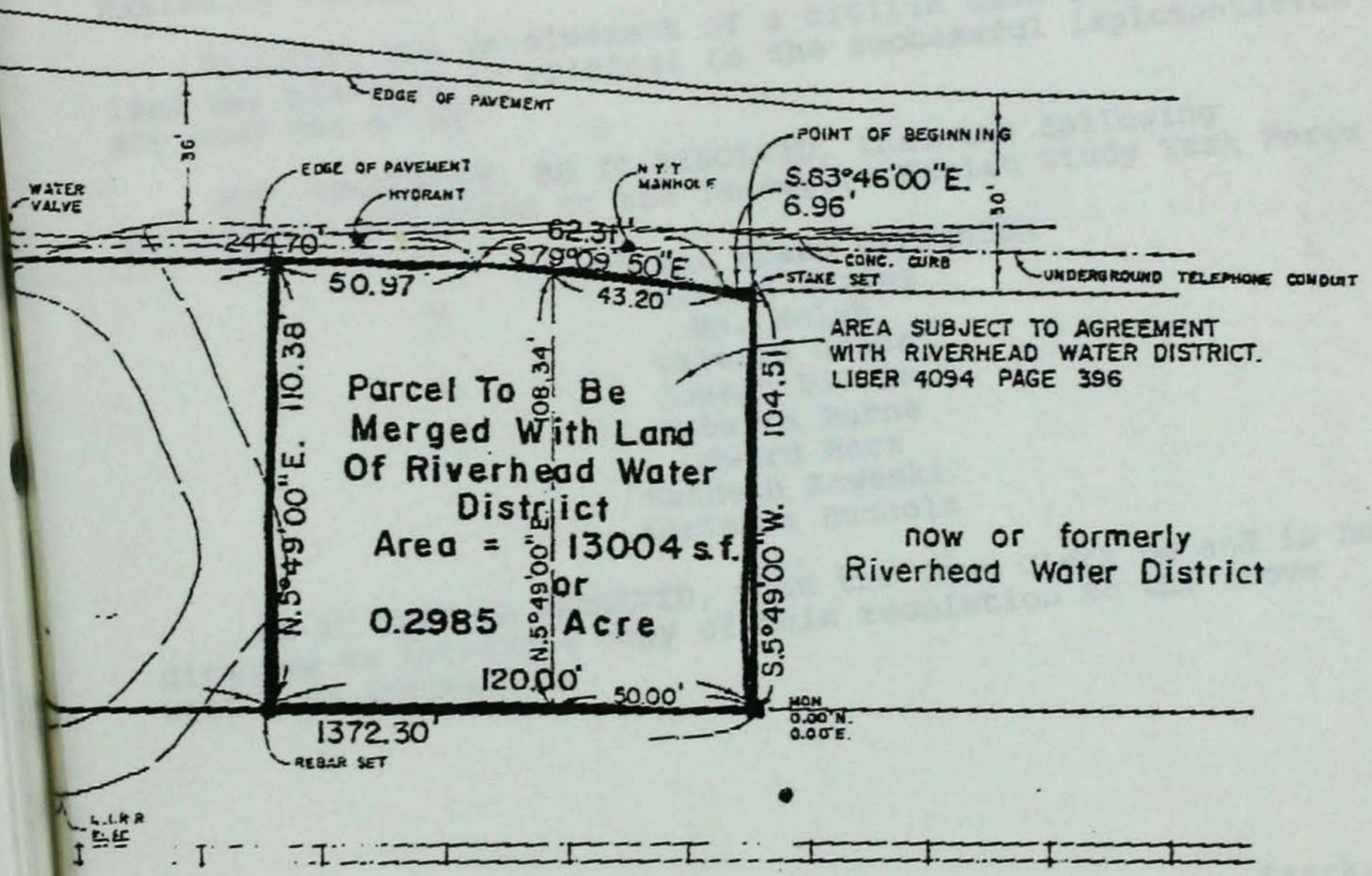
Notary Public

STATE OF)
) ss.:
COUNTY OF)

On this ___ day of ___, 1991, before me personally came ___ to me known, who being by me duly sworn, did depose and say that he resides at ___ that he is the ___ of RIVERHEAD WATER DISTRICT; the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed h name thereto by like order.

Notary Public

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Parcel To Be
Merged With Land
Of Riverhead Water
District
Area = 13004 s.f.
or
0.2985 Acre

AREA SUBJECT TO AGREEMENT
WITH RIVERHEAD WATER DISTRICT.
LIBER 4094 PAGE 396

now or formerly
Riverhead Water District

LEGEND

- 1. ■ = MONUMENT FOUND
- 2. △ = STAKE FOUND
- 3. ○ = UTILITY POLE

NOTE:

SUFFOLK COUNTY TAX MAP
DIST. 600 SECT. 125 BLK. 2 LOT 3
AREA = 415087 S.F OR 9.5291 ACRES

Riverhead, NY (Suffolk)
Exhibit "A"

487 ESTABLISHES JAMESPORT HAMLET STUDY TASK FORCE

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

WHEREAS, intelligent planning for the future of the Town of Riverhead is an ongoing process; and

WHEREAS, the Town Board wishes to continue with planning study successes completed in similar hamlet areas; and

WHEREAS, the Town Board has directed the Riverhead Planning Department to undertake and complete a land use study for the Hamlet of Jamesport; and

WHEREAS, the involvement of a citizen task force to local land use planning is critical to the successful implementation of any land use study.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals are named to the Jamesport Hamlet Study Task Force

Councilman Frank Creighton
Richard Hanley
Wm. Welsh
Valerie Goode
Joseph DiTusa
Roberta Burns
Edward Merz
Kenneth Zaweski
Adrienne Bucholz

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the above mentioned individuals.

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

The resolution was thereupon duly declared adopted.

488 ESTABLISHES AQUEBOGUE HAMLET STUDY TASK FORCE

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

WHEREAS, intelligent planning for the future of the Town of Riverhead is an ongoing process; and

WHEREAS, the Town Board wishes to continue with planning study successes completed in similar hamlet areas; and

WHEREAS, the Town Board has directed the Riverhead Planning Department to undertake and complete a land use study for the Hamlet of Aquebogue; and

WHEREAS, the involvement of a citizen task force to local land use planning is critical to the successful implementation of any land use study.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals are named to the Aquebogue Hamlet Study Task Force

Councilman Victor J. Prusinowski
 Richard Hanley
 Duane Lewin
 Otto Wittmeier
 Linda Barnett
 Geoffrey Bott
 Richard Park
 Bernadette Troyan
 Richard Green

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the above mentioned individuals.

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

The resolution was thereupon duly declared adopted.

489 REORGANIZES STREET LIGHTING DISTRICT

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

WHEREAS, the Town of Riverhead has now established the position of Town Engineer who can provide technical expertise with regard to the street lighting and other electrical undertakings of the Town; and

WHEREAS, it is now desirable that the street lighting district management be reorganized in the Office of the Town Engineer.

NOW, THEREFORE, BE IT RESOLVED, that the employees of the Street Lighting District be assigned to the management of the Town Engineer effective August 12, 1991; and

BE IT FURTHER RESOLVED, that as part of this reorganization effort Lawrence Taylor be and is hereby appointed to the position of Traffic Signal Maintenance Supervisor at the annual salary of \$30,649.61 as set forth in Group 11, Step 12 of the Operational and Technical Salary Schedule of the 1989/1990 CSEA Contract effective August 12, 1991; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Charles Bloss, Kenneth Testa, Lawrence Taylor, Mark Gajowski and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

490 DETERMINES ENVIRONMENTAL SIGNIFICANCE OF OFF-PREMISES SIGN OF THE BIRCHWOOD

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

WHEREAS, the Riverhead Town Board is in receipt of a Special Permit application for an off-premises directional sign to be erected upon a parcel of land located at the southwest corner of the intersection of Mill Road and Old Country Road, Riverhead; such petition submitted by the Birchwood Restaurant, and

WHEREAS, the Riverhead Town Board has carefully reviewed the application and its attending Environmental Assessment Form;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares itself to be the Lead Agency in the matter of the Special Permit application of the Birchwood Restaurant, and

BE IT FURTHER

RESOLVED, that the Town Board determines the action to be Type II as provided by 6 NYCRR Part 617.13(8), and

BE IT FURTHER

RESOLVED, that the Town Board hereby waives the requirement for Special Permit hearing as provided by the Riverhead Town Code, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward the subject Special Permit application to the Suffolk County Planning Commission for its report and recommendation pursuant to the requirements of the Suffolk County Charter, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward the subject Special Permit application to the Riverhead Planning Board for its report and recommendation.

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

The resolution was thereupon duly declared adopted.

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

WHEREAS, the Riverhead Town Board is in receipt of a Special Permit application for the erection of a computerized electronic message center on a parcel of land located on Old Country Road, Riverhead; such petition submitted by George Gamaldi, and

WHEREAS, the Riverhead Town Board has reviewed the application and its attending Environmental Assessment Form;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares itself to be the Lead Agency in the matter of the Special Permit application of George Gamaldi, and

BE IT FURTHER

RESOLVED, that the Town Board determines the action to be Type II as provided by 6 NYCRR Part 617.13(8), and

BE IT FURTHER

RESOLVED, that the Town Clerk forward the Special Permit application to the Suffolk County Planning Commission for its report and recommendation pursuant to the requirements of the Suffolk County Charter, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward the subject Special Permit application to the Riverhead Planning Board for its report and recommendation, and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish the following notice of public hearing in the official newspaper of the Town of Riverhead:

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 3rd day of September, 1991, at 7:40 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the Special Permit application of George Gamaldi for the erection of a computerized electronic message center on a parcel of land located on Old Country Road, Riverhead.

Dated: Riverhead, New York
August 6, 1991

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

The resolution was thereupon duly declared adopted.

TOWN BOARD RESOLUTION # 492

AUTHORIZES SUPERVISOR TO EXECUTE LIMITED RELEASE
ON BEHALF OF THE TOWN OF RIVERHEAD AND RIVERHEAD
WATER DISTRICT TO INTERNATIONAL FIDELITY INSURANCE
COMPANY UNDER ITS SURETY BOND NO. 819061-88.

WHEREAS, certain costs were incurred by the Riverhead Water District in respect to the construction of facilities for Extension No. 28 of the Riverhead Water District by DiCanio Residential Communities, Inc. and Vincent DiCanio which were, from time to time, paid for by the developer pursuant to its obligations to construct the facilities at no cost to the Extension or to the Water District, and

WHEREAS, International Fidelity Insurance Company has heretofore issued its Bond No. 819061-88 in the principal sum of \$645,000.00, accepted by the Town Board on July 19, 1988, to insure the payment of the principal obligations to the Water District, and

WHEREAS, the principal has defaulted in payment and all further work has ceased, and demand has been made upon International Fidelity Insurance Company to pay the balance due and owing of \$43,697.13, and

WHEREAS, International Fidelity Insurance Company has issued its check, under date of July 18, 1991, to the Riverhead Water District, in the sum of \$43,697.13,

NOW, THEREFORE, BE IT RESOLVED, that in consideration for the aforesaid payment of \$43,697.13, the Supervisor or Deputy Supervisor, on behalf of the Town of Riverhead and on behalf of the Town Board of the Town of Riverhead as governing body of the Riverhead Water District, be and is authorized to execute and deliver to the International Fidelity Insurance Company the limited release in the form annexed to this resolution.

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

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

The resolution was thereupon duly declared adopted.

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To all to whom these Presents shall come or may Concern,

Know That THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, and the RIVERHEAD WATER DISTRICT, BY THE TOWN BOARD, TOWN OF RIVERHEAD, AS GOVERNING BODY THEREOF; each having an office at 200 Howell Avenue, Riverhead, New York, being a municipal corporation and special improvement district

organized under the laws of the State of New York, as RELEASOR, in consideration of the sum of FORTY-THREE THOUSAND SIX HUNDRED NINETY-SEVEN AND 13/100 -----

(\$43,697.13), received from INTERNATIONAL FIDELITY INSURANCE COMPANY, 24 Commerce Street, Newark, New Jersey,

receipt whereof is hereby acknowledged, releases and discharges INTERNATIONAL FIDELITY INSURANCE COMPANY as RELEASEE,

the RELEASEE, RELEASEE'S heirs, executors, administrators, successors and assigns from all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity, which against the RELEASEE, the RELEASOR, RELEASOR'S successors and assigns ever had, now have or hereafter can, shall or may have, for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this RELEASE, solely under its Bond No. 819061-88 heretofore issued by International Fidelity Insurance Company to guarantee the performance by DiCano Residential Communities, Inc. and Vincent DiCano for the cost of construction and all related costs incurred by the Riverhead Water District within Extension 28 thereof, which bond in the principal sum of \$645,000.00 was accepted by Town Board Resolution No. 466, adopted July 19, 1988. This release does not extend to any other bond issued by International Fidelity Insurance Company on behalf of the DiCano organization, its principals or related entities, in respect to any other obligations to the Riverhead Water District or to the Town of Riverhead.

Whenever the text hereof requires, the use of singular number shall include the appropriate plural number as the text of the within instrument may require.

This RELEASE may not be changed orally.

In Witness Whereof, the RELEASOR has caused this RELEASE to be executed by its duly authorized officers and its corporate seal to be hereunto affixed on 19 91 .

In presence of:

THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, and the RIVERHEAD WATER DISTRICT, BY THE TOWN BOARD, TOWN OF RIVERHEAD, AS GOVERNING BODY THEREOF.

By

STATE OF NEW YORK, COUNTY OF SUFFOLK ss.: On 1991 before me personally came to me known, who, by me duly sworn, did depose and say that deponent resides at

that deponent is the of the corporation described in, and which executed the foregoing RELEASE, that deponent knows the seal of the corporation, that the seal affixed to the RELEASE is the corporate seal, that it was affixed by order of the board of of the corporation; and that deponent signed deponent's name by like order.

If the party making payment is not the same as the party released, delete words "as RELEASEE" and add names of parties released after the word "discharges."

RESOLUTION NUMBER 493 DATE AUGUST 6, 1991 ABSTRACT #28
 COUNCILMAN _____ offered the following resolution, which
 was seconded by COUNCILMAN _____
 RESOLVED, that the SUPERVISOR be, and is hereby authorized to pay
 the following vouchers: 9100 _____, 9100 _____.

*****ACCOUNTS*****		*****TOTALS*****	
GENERAL TOWN	001		\$311,056.18
PARKING METER	002		
AMBULANCE	003		
POLICE ATHLETIC LEAGUE	004		
TEEN CENTER	005		
RECREATION PROGRAM	006		\$287.97
HIGHWAY	111		\$47,827.09
WATER	112		\$28,847.93
REPAIR & MAINTENANCE	113		
SEWER	114		\$158,565.99
STREET LIGHTING	116		\$17,721.49
PUBLIC PARKING	117		\$2,404.23
HOSPITALIZATION SELF INSURANCE	174		\$30,974.77
RISK RETENTION	175		
UNEMPLOYMENT INSURANCE RESERVE	176		
ECONOMIC REVOLVING LOAN	178		\$2,731.29
RESIDENTIAL REHAB	179		\$4,400.00
DISCRETIONARY	180		
PUBLIC PARKING DEBT SERV	381		\$265,765.97
SEWER DEBT	382		
WATER DEBT	383		\$744,002.78
GENERAL TOWN DEBT	384		
SCAVENGER WASTE DEBT	385		
TOWN HALL CAPITAL PROJECTS	406		\$343,902.18
EIGHT HUNDRED SERIES	408		\$23,841.25
WATER IMPROVEMENTS	409		
TWO BEARS ESTATES	440		\$125.19
YOUTH SERVICE	452		\$1,253.54
SENIORS HELPING SENIORS	453		\$1,632.19
EISEP	454		\$1,333.49
JOINT SCAVENGER WASTE	918		\$18,601.00
MUNICIPAL FUEL	625		\$1,895.64
MUNICIPAL GARAGE	626		\$3,672.48
TRUST & AGENCY	735		\$365,514.20
*****GRAND TOTAL*****			\$2,376,356.85

RESOLUTION NUMBER 493 DATE AUGUST 6, 1991 ABSTRACT #29
 COUNCILMAN _____ offered the following resolution, which
 was seconded by COUNCILMAN _____
 RESOLVED, that the SUPERVISOR be, and is hereby authorized to pay
 the following vouchers: 9100 _____, 9100 _____.

*****ACCOUNTS*****		*****TOTALS*****	
GENERAL TOWN	001		\$415,223.03
PARKING METER	002		
AMBULANCE	003		
POLICE ATHLETIC LEAGUE	004		
TEEN CENTER	005		
RECREATION PROGRAM	006		\$515.99
HIGHWAY	111		\$2,019.54
WATER	112		\$6,580.28
REPAIR & MAINTENANCE	113		\$22,345.89
SEWER	114		\$6,022.74
STREET LIGHTING	116		\$9,261.05
PUBLIC PARKING	117		\$4,830.19
HOSPITALIZATION SELF INSURANCE	174		\$13,465.30
RISK RETENTION	175		
UNEMPLOYMENT INSURANCE RESERVE	176		
ECONOMIC REVOLVING LOAN	178		
RESIDENTIAL REHAB	179		\$741.84
DISCRETIONARY	180		\$850.00
PUBLIC PARKING DEBT	381		\$593.75
SEWER DEBT	382		\$47,700.00
WATER DEBT	383		\$1,060,980.14
GENERAL TOWN DEBT	384		\$603,902.28
SCAVENGER WASTE DEBT	385		
TOWN HALL CAPITAL PROJECTS	406		\$25,988.17
EIGHT HUNDRED SERIES	408		
WATER IMPROVEMENTS	409		
TWO BEARS ESTATES	440		\$1,681.00
YOUTH SERVICE	452		
SENIORS HELPING SENIORS	453		
EISEP	454		
JOINT SCAVENGER WASTE	918		
MUNICIPAL FUEL	625		
MUNICIPAL GARAGE	626		
SPECIAL TRUST	736		\$507,000.00
*****GRAND TOTAL*****			\$2,729,701.19

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ADOPTS AMENDMENT TO ARTICLE I "USE OF DESIGNATED BEACH"
OF CHAPTER 48 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amending Article I "Use of Designated Beach" at Section 48-1 "Definitions" and Section 48-7 "Application for permit; fee" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of August, 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 amending Article I "Use of Designated Beach" at Section 48-1 "Definitions" and Section 48-7 "Application for permit; fee" of the Riverhead Town Code be and is hereby adopted as follows:

ARTICLE I

Use of Designated Beach

48-1. Definitions.

DULY ORGANIZED FISHING CLUB - A club organized pursuant to the laws of the State of New York and having its principal office in the Town of Riverhead, which is organized for the purpose of sport fishing and is comprised primarily of residents of the Town of Riverhead.

48-7. Application for permit; fee.

- D. The Recreation Department is hereby authorized to issue permits for the use or operation of a motor vehicle on the Long Island Sound beach to a duly organized fishing club. The club must be recognized and approved by the Town Board and certified by the Town Clerk. Said permit shall be issued for a fee of \$50.00 per permit. The duly organized fishing club is authorized to receive permits equal to 10% of its active membership.

The permit shall be conspicuously displayed on the dashboard of the motor vehicle being used by a club member.

- E. The Recreation Department is hereby authorized to issue parking permits which allows parking in spaces provided during the hours of 6:00 p.m. and 9:00 a.m. at any public bathing beach to a duly organized fishing club for a fee of \$25.00. A permit issued pursuant to Section 48-7(D) shall authorize the permit holder to park his vehicle at any public bathing beach between the hours of 6:00 p.m. and 9:00 a.m.

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 Police Department and the Recreation Department.

Dated: Riverhead, New York
August 6, 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)

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

The resolution was thereupon duly declared adopted.