

# 663 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AN AMENDMENT TO CHAPTER 108 "ZONING" AT  
SECTION 108-77 "FILING FEE" OF THE RIVERHEAD TOWN CODE

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 Chapter 108 "Zoning" at Section 108-77 "Filing Fee"  
of the Riverhead Town Code:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on  
the 17th day of December, 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 Chapter 108  
"Zoning" at Section 108-77 "Filing Fee" of the Riverhead Town  
Code as follows:

108-77. Filing fee.

A. For each appeal to the Board of Appeals, there shall be  
filing fees, payable upon the submission of an application, in  
the following amounts:

(1) Residential applications:

(a) Use or area variances and/or interpretations  
~~sixty dollars (\$60.00):~~

- (i) Use variance: five hundred dollars (\$500.00);
- (ii) Use interpretations: sixty dollars (\$60.00);
- (iii) Area variances and/or interpretations:  
sixty dollars (\$60.00)

(2) Commercial applications:

(a) Use or area variances and/or interpretations  
~~one hundred fifty dollars (\$150.00)~~

- (i) Use variance: five hundred dollars (\$500.00)
- (ii) Use interpretations: one hundred fifty  
dollars (\$150.00)
- (iii) Area variances and/or interpretations: one  
hundred fifty dollars (\$150.00)

Dated: Riverhead, New York  
December 3, 1991

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

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

The resolution was thereupon duly declared adopted.

# 664

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AN AMENDMENT TO CHAPTER 108 AT SECTION 108-  
56(I) 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 Chapter 108 at Section 108-56(I) of the Riverhead Town Code:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 17th day of December, 1991, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Chapter 108 at Section 108-56(I) of the Riverhead Town Code as follows:

108-56. Signs.

I. The following signs are permitted in any non-resident use district upon the issuance of a permit therefor:

- (3) Any lot upon which exists or upon which may be constructed a business or industrial use which fronts on a public street, or streets, for a distance of greater than three hundred (300) lineal feet may have erected thereon one (1) or more freestanding, nonflashing, nonmoving on-premises signs in conformity with the further provisions of this section. For such a lot with frontage of from one (1) to three hundred (300) lineal feet, one (1) freestanding on-premises sign of thirty-two (32) square feet shall be permitted. For each additional one hundred fifty (150) feet, or fraction thereof, of lineal frontage on said lot, there shall be permitted one (1) additional thirty-two-square-foot on-premises freestanding sign. On said lot, on freestanding on-premises sign shall be closer than one hundred fifty (150) lineal feet from any other freestanding on-premises sign on said lot. Said signs shall be no less than twenty-five (25) feet from any side line and shall be set back no less than fifteen (15) feet from any front and/or rear property line. Upon any such lot where more than one (1) thirty-two-square-foot on-premises freestanding sign may be permitted, the owner thereof may elect to combine the total sign areas permitted into one (1) or more on-premises freestanding signs,

provided that the total sign area shall not exceed one hundred (100) square feet. Any sign so permitted greater than thirty-two (32) square feet in area shall be at least seven (7) feet above mean ground level, exclusive of supportive construction, and no higher than fifteen (15) feet in height. Any sign so permitted greater than thirty-two (32) square feet in area shall not exceed fifteen (15) feet in the horizontal dimension.

- ~~(3)~~ (4) Whenever a freestanding sign is permitted in accordance with the provisions of this subsection, said sign shall be permitted to contain, within the structure of the freestanding sign and within the ten-foot height requirement, an additional thirty-two (32) square feet of marquee space for the display of temporary messages by means of changeable lettering. If the owner has elected to combine sign areas on one (1) sign, pursuant to the provisions of this section, the marquee portion of such sign shall remain thirty-two (32) square feet.

Dated: Riverhead, New York  
December 3, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

# 665 **AUTHORIZES SUPERVISOR TO RELEASE PETTY CASH MONIES TO RECEIVER OF TAXES**

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

**RESOLVED**, that the Supervisor be and is hereby authorized to issue \$200.00 to the Receiver of Taxes from the Petty Cash Fund Account established for Petty Cash Fund purposes for the office of Receiver of Taxes, Pursuant to Section 64-1 of Town Law.

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

The resolution was thereupon duly declared adopted.

BE IT FURTHER

RESOLVED, that this classification and determination be considered final for any subsequent approval subject to appeal, and

BE IT FURTHER

RESOLVED, that the Zoning Department be directed to publish and post these notices as required by 5 NYCRR Part 217, and

BE IT FURTHER

RESOLVED, that the Town Clerk be directed to refer the petition to the Planning Board for their recommendation, 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 applicant.

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

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD RESOLUTION # 666Declares Lead Agency and Determines Significance of Action  
All County Aggregates, Inc. - Special Permit and Site Plan

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

WHEREAS, the Riverhead Town Board is in receipt of a petition for a Special Permit for a 14,000 square foot structure and to undertake sand and gravel processing on a 6 acre parcel within an Industrial 'A' Zone known specifically as Suffolk County Tax Map Number 0600-119-1-28.5 and 28.6 from Jeffrey Funfgeld, and

WHEREAS, a survey and Environmental Assessment Form were submitted as part of the petition, and

WHEREAS, the Riverhead Planning Department has reviewed the Environmental Assessment Form and supporting documentation and recommends the petition be considered an Unlisted Action for which coordinated review is optional, and

WHEREAS, the Town Board, by Resolution #533 of September 3, 1991, did resolve to consider itself Lead Agency in this matter, and

WHEREAS, the Planning Department, by preparation and evaluation of its SEQR staff report, has further recommended that the action will not have a significant effect upon the environment;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the application of All County Aggregates, Inc. be considered to be an Unlisted Action which will not have a significant effect upon the environment and that a draft Environmental Impact Statement need not be prepared, and

**BE IT FURTHER**

**RESOLVED**, that this classification and determination be considered valid for any subsequent approved subject to SEQR, and

**BE IT FURTHER**

**RESOLVED**, that the Riverhead Planning Department be directed to publish and post those notices as required by 6 NYCRR Part 617, and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk be directed to refer the petition to the Planning Board for their recommendation, 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 applicant.

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

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

## RESOLUTION # 667

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR  
ONE (1) USED 1990 ARTICULATED WHEEL LOADER

COUNCILPERSON Creighton OFFERED THE FOLLOWING RESOLUTION WHICH  
WAS SECONDED BY COUNCILPERSON Stark

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE  
AND IS HEREBY AUTHORIZED TO ADVERTISE FOR SEALED BIDS FOR ONE (1)  
USED 1990 ARTICULATED WHEEL LOADER FOR THE USE OF THE RIVERHEAD  
HIGHWAY DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THE SPECIFICATIONS AND BID FORMS BE PREPARED  
BY THE SUPERINTENDENT OF HIGHWAYS, AND ALL BIDS BE RETURNABLE UP  
TO 11:15 A.M. ON DECEMBER 23, 1991 AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE  
AND IS HEREBY AUTHORIZED TO OPEN PUBLICLY AND READ ALOUD ON  
DECEMBER 23, 1991 AT 11:15 A.M. AT THE TOWN CLERK'S OFFICE, 200  
HOWELL AVENUE, RIVERHEAD, NEW YORK ALL SEALED BIDS BEARING THE  
DESIGNATION "BID ON ONE (1) USED 1990 ARTICULATED WHEEL LOADER".

CBB/sb

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

The resolution was thereupon duly declared adopted.

CBB

NOTICE TO BIDDERS

SEALED BIDS FOR THE PURCHASE OF ONE (1) USED 1990 ARTICULATED WHEEL LOADER OR EQUAL FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT WILL BE RECEIVED BY THE TOWN CLERK OF THE TOWN OF RIVERHEAD AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK, 11901 UNTIL 11:15 A.M. ON DECEMBER 23, 1991.

INSTRUCTIONS FOR BIDDERS, SPECIFICATIONS AND BID FORMS MAY BE OBTAINED AT THE OFFICE OF THE SUPERINTENDENT OF HIGHWAYS, OSBORN AVENUE, RIVERHEAD, NEW YORK BETWEEN THE HOURS OF 7:30 A.M. AND 3:30 P.M. WEEKDAYS.

THE TOWN BOARD RESERVES THE RIGHT AND RESPONSIBILITY TO REJECT ANY OR ALL BIDS OR WAIVE ANY FORMALITIES IF IT BELIEVES SUCH ACTION IS IN THE BEST INTEREST OF THE TOWN.

ALL BIDS WILL BE SUBMITTED IN A SEALED ENVELOPE BEARING THE DESIGNATION "BID ON ONE (1) USED 1990 ARTICULATED WHEEL LOADER OR EQUAL".

DATED: DECEMBER 11, 1991

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD  
IRENE J. FENDZICK, TOWN CLERK

Date \_\_\_\_\_

No. 668

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

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

BUDGET ADOPTION  
BUSINESS IMPROVEMENT DISTRICT

118.010010.411000	Property Taxes	\$ 5000.00
118.064100.544100	Pub.Relations,Publicity	\$ 5000.00
001.031200.542000	Equipment	4000.00
001.031200.542001	Tools	500.00
001.031200.542002	Police & Steamers	400.00
001.031200.542003	Emergency Lights	300.00
001.031200.542004	Sound Level Equip. Kalen	200.00
001.031200.542005	Breathalyzer Maint.	100.00
001.031200.542006	Extradition Exp.	200.00
001.031200.542007	Appearance Tickets	100.00
001.031200.542008	Training	7000.00
001.031200.542009	Telephone	2000.00
001.031200.542010	Gasoline	3000.00
001.031200.542011	Sanitation Overtime	3000.00
001.031200.542012	Light & Heat	2000.00
001.031200.542013	Miscellaneous	2000.00
001.031200.542014	Pipe Repair	1000.00
001.031200.542015	Field Supplies	1000.00
001.031200.542016	File Supplies	700.00
001.031200.542017	Misc. Office Equip.	200.00
001.031200.542018	Leather Goods	10.00
001.031200.542019	Intoxaliner	100.00
001.031200.542020	Auto Repairs	2000.00
001.031200.542021	Office Supplies	1500.00
001.031200.542022	Notary Stamp	10.00
001.031200.542023	Prison Food	400.00
001.031200.542024	Flashlight Batteries	10.00
001.031200.542025	Fingerprint Kit	200.00

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

The resolution was thereupon duly declared adopted.

Date \_\_\_\_\_

NO. 669

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

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

## BUDGET ADJUSTMENT

FROM:

001.081600.511500	Personal Services	\$ 5000.00
001.081600.524000	Equipment	4000.00
001.081600.541411	Scale Maintenance	6000.00
001.045400.541500	Amb. Vehicle Maint.	1500.00
001.031200.524214	Radios & Scanners	4495.00
001.031200.524227	Emergency Lights	380.00
001.031200.541404	Sound Level Equip.Maint.	250.00
001.031200.542301	Breathalyzer Maint.	400.00
001.031200.542313	Extradition Exp.	300.00
001.031200.542605	Appearance Tickets	500.00
001.031200.543401	Training	7000.00
001.031200.546100	Telephone	2000.00
001.031200.546303	Gasoline	3000.00

TO:

001.081600.512500	Sanitation Overtime	\$ 5000.00
001.081600.546200	Light & Heat	2000.00
001.081600.549000	Miscellaneous	2000.00
001.081600.541510	Tire Repair	6000.00
001.045400.542300	Field Supplies	1500.00
001.031200.524223	Telephone Equip.	2000.00
001.031200.524340	File Cabinets	700.00
001.031200.524350	Law Library	500.00
001.031200.524380	Misc.Office Equip.	2450.00
001.031200.524406	Leather Goods	10.00
001.031200.524408	Intoxalizer	265.00
001.031200.541500	Auto Repairs	9005.00
001.031200.542100	Office Supplies	1500.00
001.031200.542109	Notary Stamp	30.00
001.031200.542201	Prison Food	400.00
001.031200.542305	Flashlight Batteries	55.00
001.031200.542311	Fingerprint Kits	260.00

001.031200.542502	Evidence Storage	65.00
001.031200.543940	Interpreter Fees	200.00
001.031200.544250	Neighborhood Watch	50.00
001.031200.549000	Miscellaneous	210.00
001.031200.543407	TV Network	600.00
001.031200.524501	Prisoner Shields	25.00

RESOLUTION 1284 adopted the following resolution which was seconded by [Name] Stark

RESOLVED, that the Supervisor be and hereby is, authorized to implement the following Budget Adjustment:

GENERAL FUND  
BUDGET ADJUSTMENT

001.03100.512500	OVERSINE	\$ 6000.00
001.03100.524000	EQUIPMENT	7500.00
001.03100.534300	OFFICE EQUIPMENT	2500.00

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

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

Date \_\_\_\_\_

No. 670

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

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

GENERAL TOWN  
BUDGET ADJUSTMENT

		FROM:	
001.083100.512500	OVERTIME	\$	5000.00
001.083100.524000	EQUIPMENT		7500.00
		TO:	
001.083100.524300	OFFICE EQUIPMENT	\$	2500.00
001.083100.541100	REPAIRS		10000.00

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the County Development Director.

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

RESOLUTION # 671 AUTHORIZING SUBMISSION OF APPLICATION

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

WHEREAS, the Town of Riverhead annually requests Community Development Block Grant funds from the United States Department of Housing and Urban Development for benefit to low and moderate income persons and for the prevention or elimination of slum and blight; and

WHEREAS, the Town of Riverhead has complied with the citizen participation requirements of the Community Development Block Grant program; and

WHEREAS, the Town of Riverhead possesses the legal authority to make a grant application and to execute a community development and housing program.

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute and submit a grant application to the Suffolk County Department of Community Development as grantee of Community Development Block Grant funds from the United States Department of Housing and Urban Development;

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Andrea Lohneiss, Community Development Director.

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

The resolution was thereupon duly declared adopted.

APPROVES SITE PLAN OF KURT LEWIN - TEMPORARY GREENHOUSES

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

**WHEREAS**, a site plan and elevations were submitted by Kurt Lewin for installation of four (4) temporary greenhouses located at the south side of Sound Avenue, 1,704 feet west of Hulse Landing Road, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-58-1-6; and

**WHEREAS**, the Planning Department has reviewed the site plan dated November 21, 1991, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York, 11901, and elevations dated August 1, 1989, as prepared by Campbell-O'Brien, Ltd., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan and elevations submitted by Kurt Lewin, for installation of four (4) temporary greenhouses, located at the south side of Sound Avenue, 1,704 feet west of Hulse Landing Road, Wading River, New York, site plan dated November 21, 1991, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York, 11901, and elevations dated August 1, 1989, as prepared by Campbell-O'Brien, Ltd., 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. 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;

7. That the use of the structure(s) approved herein shall be limited solely to agricultural production and that there shall be no retail use therein; and be it further

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

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

The resolution was thereupon duly declared adopted.

**DECLARATION AND COVENANTS**

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 1991, made by Deane D. Lewin, residing at Box 226A, Locust Street, Wading River, New York, 11792, 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. 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;

6. That the use of the structure(s) approved herein shall be limited solely to agricultural production and that there shall be no retail use therein.

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

\_\_\_\_\_  
Deane D. Lewin

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

On the \_\_\_\_\_ day of \_\_\_\_\_, 1991, before me personally came Deane D. Lewin, 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 south side of Sound Avenue, 1,704' west of Hulse Landing Road, Wading River, 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

# 673

AUTHORIZED THE SOLICITATION OF BIDS FOR  
HOMOGENIZED WHOLE MILK

COUNCILPERSON Stark offered the following RESOLUTION, which was seconded by COUNCILPERSON Creighton.

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of HOMOGENIZED WHOLE MILK for use by the TOWN OF RIVERHEAD, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read allowed said bids at 11:00 A. M. on December 23, 1991, at Town Hall, 200 Howell Avenue, Riverhead New York: and to make a report of said bids to the Town Board at the next public meeting following the opening of the bids.

NOTICE TO BIDDERS ATTACHED

The vote, Stark, yes, Prusinowksi, 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  
James J. Pandick, Town Clerk

12/3/91

1291

673

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed bids for the purchase of HOMOGENIZED WHOLE MILK for use by  
the TOWN OF RIVERHEAD will be received by the Town Clerk  
of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead  
New York, 11901, until 11:00 A.M. on December 23 1991.

Bid packets, including specifications, may be obtained at the Town Clerk's  
Office at Town Hall Monday through Friday between the hours of 8:30 A.M.  
and 4:30 P.M.

All bids must be submitted on the bid form provided. Any and all excep-  
tions to the specifications must be listed on a separate sheet of paper,  
bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached  
to the bid form.

The Town Board reserves the right and responsibility to reject any or all  
bids or to waive any formality if it believes such action to be in the  
best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation  
HOMOGENIZED WHOLE MILK.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Irene J. Pendick, Town Clerk

674

AUTHORIZED THE SOLICITATION OF BIDS FOR  
1992 POLICE PATROL VEHICLES

COUNCILPERSON Stark offered the following RESOLUTION, which was seconded by COUNCILPERSON Creighton.

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of 1992 POLICE PATROL VEHICLES for use by the TOWN OF RIVERHEAD, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read allowed said bids at 11:05 A. M. on December 23, 1991, at Town Hall, 200 Howell Avenue, Riverhead New York: and to make a report of said bids to the Town Board at the next public meeting following the opening of the bids.

NOTICE TO BIDDERS ATTACHED

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

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD  
Frank J. Fenwick, Town Clerk

674

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed bids for the purchase of 1992 POLICE PATROL VEHICLES for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead New York, 11901, until 11:05 A.M. on December 23 1991.

Bid packets, including specifications, may be obtained at the Town Clerk's Office at Town Hall Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M.

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation 1992 POLICE PATROL VEHICLES .

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Irene J. Pendick, Town Clerk

# 675 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD:  
BUILDING PERMIT COORDINATOR

Councilperson Prusinowski 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 "Help Wanted" ad for the position  
of Building Permit Coordinator with the Town of Riverhead in the  
December 11, 1991 issue of Suffolk Life Newspapers.

#### HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a  
qualified individual to serve in the position of Building Permit  
Coordinator with the Town of Riverhead Building Department.  
Applicants should possess a four-year college degree in  
construction technology, engineering, or architecture.  
Interested individuals must submit an application to the  
Accounting Department, 200 Howell Avenue, Riverhead, NY between  
the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications  
will be accepted, for this position, after December 27, 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: December 3, 1991  
Riverhead, NY

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

The resolution was thereupon duly declared adopted.

# 676

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AN AMENDMENT TO CHAPTER 83 "PARADES AND  
ASSEMBLIES" OF THE RIVERHEAD TOWN CODE

COUNCILPERSON Prusinowski 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 Chapter 83 "Parades and Assemblies" of the Riverhead Town Code at Section 83-5 "Display of Flag" in the DECEMBER 18, 1991, issue of the Suffolk County Life:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 7th day of January, 1992, at 7:40 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Chapter 83 "Parades and Assemblies" of the Riverhead Town Code at Section 83-5 "Display of Flag" as follows:

83-5. Display of flag.

All assemblies and parades warranted by law, held in any of the streets, roads, avenues, highways, parkways or any other public places in the Town of Riverhead, where public discussions are held, ~~shall~~ may have an American flag, ~~the dimensions of which shall be not less than thirty-six by sixty (36 x 60) inches,~~ conspicuously displayed at all times during the holding of such assemblies.

Dated: Riverhead, New York  
December 3, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

# 677

AUTHORIZES TOWN ATTORNEY TO ATTEND SEMINAR

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

**RESOLVED**, that the Town Attorney be and is hereby authorized to attend a Land Use Seminar to be given in New York City on December 9 and 10, 1991; and be it further

**RESOLVED**, that the Town Attorney be reimbursed for said seminar upon submission of receipts therefore; and be it further

**RESOLVED**, that the Town Clerk be directed to forward a certified copy of this resolution to the Town Attorney and to the Accounting Office.

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

The resolution was thereupon duly declared adopted.

The use of a portion of a lot for a truck rental business, including driveway located at the southeast corner of County Route 39 and Main Street, Riverhead, New York, site plan dated July 20, 1988, as prepared by Joseph A. DeMarco, Ltd., 1196 East Main Street, Riverhead, New York, 11901, and elevations dated June 11, 1988, as prepared by James E. DeMarco, 11 Linda Lane East, Riverhead, New York, 11901, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

#678

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

WHEREAS, a site plan and elevations were submitted by Joseph A. Ingegno, as agent for Ryder Truck Rental, Inc. for the use of a portion of a lot for a truck rental business, including display located at the southwest corner of County Route 58 and Osborn Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-2-9; and

WHEREAS, the Planning Department has reviewed the site plan dated last July 26, 1991, as prepared by Joseph A. Ingegno, L.S., 1186 East Main Street, Riverhead, New York, 11901, and elevations dated June 23, 1991, as prepared by James V. DeLucca, 12 Linda Lane East, Riverhead, New York, 11901, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) 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 Joseph A. Ingegno, as agent for Ryder Truck Rental, Inc., for the use of a portion of a lot for a truck rental business, including display, located at the southwest corner of County Route 58 and Osborn Avenue, Riverhead, New York, site plan dated last July 26, 1991, as prepared by Joseph A. Ingegno, L.S., 1186 East Main Street, Riverhead, New York, 11901, and elevations dated June 23, 1991, as prepared by James V. DeLucca, 12 Linda Lane East, Riverhead, New York, 11901, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

12/3/91 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; 1296

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. 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. Further, by execution and filing of this document, HERIBERT OBSER hereby authorizes and consents to the Town of Riverhead to enter premises at the southwest corner of County Route 58 and Osborn Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

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;

12/3/91

DECLARATION AND COVENANTS

1293<sup>18</sup>

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 1991, made by HERIBERT OBSER, residing at \_\_\_\_\_, County Route 58, 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;



12/3/91 10. That the topsoil shall conform<sup>1299</sup> 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 limited to that portion of the parcel utilized in the business of leasing vehicles by Ryder Truck Rental, Inc.;

13. That the curb cut, denoted on the site plan as "curb cut to be abandoned," shall be removed and replaced with curb which meets the specifications of the appropriate governing authority, and that landscaping and fencing shall be provided as indicated on the site plan as approved herein and initialled by a majority of this Board;

14. That paving and drainage shall be provided in accordance with Town Code requirements, or the necessary variances obtained for same, and that parking and display spaces shall be clearly marked with striping and concrete wheel stops;

15. That this site plan approval shall coincide with the term of the lease of the premises by Ryder Truck Rental, Inc., and any renewal thereof, that it shall cease upon expiration or termination of said lease agreement; and be it further

**RESOLVED,** that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joseph A. Ingegno, as agent for Ryder Truck Rental, Inc.; Ernie Siebert, Ryder Truck Rental, Inc.; the Riverhead Planning Department; Riverhead Building Department; Town Engineer; and Office of the Town Attorney.

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

The resolution was thereupon duly declared adopted.

# 679 AWARDS BID FOR DIGITAL AUDIO TAPE DRIVE

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

WHEREAS, the Town Clerk was authorized to publish and post Notice to Bidders for Digital Audio Tape Drives; and

WHEREAS, one bid was received and read aloud on the 2nd day of December, 1991, at 11:00 am at Riverhead Town Hall.

NOW, THEREFORE, BE IT RESOLVED, that the bid for Digital Audio Tape Drives be and is hereby awarded to Virtual Technology, Inc., the lowest responsible bidder for the Digital Audio Tape Drives, said bid to be awarded in the amount of twenty one thousand, six hundred five dollars, (\$21,605.00); and

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

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

The resolution was thereupon duly declared adopted.

680

## ACCEPTS RESIGNATION OF TOWN BOARD COORDINATOR

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

**WHEREAS**, Diane Koroleski has been duly elected as the Town of Riverhead's Receiver of Taxes, being sworn to office on December 1, 1991; and

**WHEREAS**, the position of Town Board Coordinator for the Town of Riverhead was held by Diane Koroleski; and

**WHEREAS**, a letter has been received from Diane Koroleski resigning from her position as Town Board Coordinator.

**NOW, THEREFORE, BE IT RESOLVED**, that Diane Koroleski's resignation from her position as Town Board Coordinator effective November 30, 1991 is duly accepted.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Diane Koroleski, Councilman James Stark, and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

# 681 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS RE: HIGHWAY MAINTENANCE GARAGE, MECHANICAL WORK

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 attached Notice to Bidders to for Mechanical Work at the Town of Riverhead Highway Maintenance Garage in the December 11, 1991 issue of Suffolk County Life; and

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

TOWN CLERK, TOWN OF RIVERHEAD  
TOWN HALL, 200 HOWELL AVENUE  
RIVERHEAD, NY 11901

Copies of the contract documents may be obtained at the above address on or after Tuesday, December 17, 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 obtained.

Deposits for plans and specifications will be refunded to bidders in full 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.

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

The right is reserved to reject any or all bids, to waive any irregularities 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 HIGHWAY DEPARTMENT  
  
IRVING J. PERSHON, TOWN CLERK  
TOWN OF RIVERHEAD  
RIVERHEAD, NEW YORK

DATE: DECEMBER 27, 1991

12/3/91

**H2M GROUP**HOLZMACHER, McLENDON & MURRELL, P.C.  
ENGINEERS, ARCHITECTS, SCIENTISTS, PLANNERS and SURVEYORS

1303

## NOTICE TO BIDDERS

The TOWN BOARD of RIVERHEAD will receive bids for ADDITION AND ALTERATIONS TO THE TOWN OF RIVERHEAD HIGHWAY MAINTENANCE BUILDING, OSBORN AVENUE, RIVERHEAD, NY for the Riverhead Highway Department, at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, NY 11901, at 11:00 A.M., Prevailing Time on Friday, January 3, 1992, at which time and place all bids will be publicly opened and read for the following contract:

## CONTRACT NO. 3 - MECHANICAL WORK

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

TOWN CLERK, TOWN OF RIVERHEAD  
TOWN HALL, 200 HOWELL AVENUE  
RIVERHEAD, NY 11901

Copies of the contract documents may be obtained at the above location on or after Tuesday, December 17, 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 same 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 HIGHWAY DEPARTMENT

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

DATED: DECEMBER 17, 1991

# 682      ACCEPTS DEDICATION AND RELEASE OF PARK LAND AND  
RELEASES PERFORMANCE BOND FOR PARKS, PLAYGROUNDS AND  
OTHER RECREATIONAL FEES RE: TWO BEARS SUBDIVISION

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

WHEREAS, Two Bears Builders, Inc., received funding from the New York State Affordable Housing Corporation to build, in cooperation with the Riverhead Community Development Agency, houses for low- to moderate-income families on a parcel of land situate on Middle Road, Riverhead, Suffolk County, New York; and

WHEREAS, the Riverhead Planning Board, by resolution dated December 21, 1990, approved the final subdivision entitled "Bear Estates" upon the condition that the parkland be dedicated to the Town of Riverhead; and

WHEREAS, said Planning Board resolution also required that Two Bears Builders, Inc., file a performance bond in the amount of \$244,000.00 for park, playground and other recreational fees; and

WHEREAS, the Riverhead Town Board, by Resolution #113 dated February 19, 1991, accepted a performance bond covering the cost of the park improvements and payment of recreation fees in a total amount of \$244,000.00;

WHEREAS, the fees for park, playground and other recreational fees have been paid; and

WHEREAS, a Dedication and Release has been received from Two Bears Builders, Inc., offering the parkland for dedication to the Town of Riverhead; and

WHEREAS, the Town Board hereby accepts said offer of dedication.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the Dedication and Release of the parkland from Two Bears Builders, Inc., as described in said release as attached hereto; and be it further

RESOLVED, that the Town Clerk record the Dedication and Release with the Suffolk County Clerk after approval by the Town Attorney of an updated title report showing good and marketable title in declarant Two Bears Builders, Inc.; and be it further

RESOLVED, upon the recording of the Dedication and Release, the Town Board of the Town of Riverhead hereby releases the performance bond in the amount of \$244,000.00 representing park, playground and other recreational fees; and be it further

RESOLVED, that upon receipt of the recorded Dedication and Release from the Suffolk County Clerk's Office, the Town Clerk is directed to release the performance bond in the amount of \$244,000.00; and be it further

RESOLVED, that the Town Clerk be directed to forward a certified copy of this resolution to Two Bears Builders, Inc., the Supervisor's Office, the Riverhead Planning Board, the Riverhead Building Department and the Community Development Agency.

BE IT FURTHER RESOLVED, that this Town Board does hereby authorize Diane Korolewski as Receiver of Taxes for the town of Riverhead to establish accounts for the deposit of real property tax monies and

AS IT FURTHER RESOLVED, that said accounts shall be deposited only in the banking institutions designated as official depositories of the town of Riverhead as set forth in resolution of January 2, 1991 and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Diane Korolewski, Receiver of Taxes.

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

The resolution was thereupon duly declared adopted.

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

# 683 AUTHORIZES DIANE KOROLESKI AS RECEIVER OF TAXES  
TO ESTABLISH BANK ACCOUNTS

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

WHEREAS, Diane Koroleski has been elected and sworn into  
office as the Receiver of Taxes for the Town of Riverhead; and

WHEREAS, it is the responsibility of Diane Koroleski as  
Receiver of Taxes to collect and deposit all real property tax  
monies.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does  
hereby authorize Diane Koroleski as Receiver of Taxes for the  
Town of Riverhead to establish accounts for the deposit of real  
property tax monies; and

BE IT FURTHER RESOLVED, that said accounts shall be  
deposited only in the banking institutions designated as official  
depositories of the Town of Riverhead as set forth in resolution  
#9 of January 2, 1991; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby  
directed to forward a copy of this resolution to Diane Koroleski,  
Receiver of Taxes.

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

The resolution was thereupon duly declared adopted.

684 EXPANDS MEMBERSHIP OF THE JAMESPORT HAMLET STUDY TASK FORCE

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

**WHEREAS**, the Riverhead Town Board has created a citizen task force for the development of the Jamesport Hamlet Study, and

**WHEREAS**, the Riverhead Town Board desires to expand the membership of this task force;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board hereby appoints Mr. Albin Zaweski as a member of the Jamesport Hamlet Study Task Force, and

**BE IT FURTHER**

**RESOLVED**, that a certified copy of this resolution be forwarded to Mr. Zaweski and the Town Planning Director.

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

The resolution was thereupon duly declared adopted.

# 685      RETAINS JONATHAN SINNREICH, ESQ. AS SPECIAL COUNSEL TO  
ALLEN M. SMITH

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

RESOLVED, that Jonathan Sinnreich, Esq., of the firm Sinnreich, Wasserman, Grubin & Cahill, be and is hereby appointed special counsel for Allen Smith, former Supervisor of the Town of Riverhead in the matter of Ramirez v. Town of Riverhead, pursuant to Public Officers Law Section 18, at a rate to be filed with the Town Clerk's Office; and be it further

RESOLVED, that the above attorney is being retained subject to submission of bills to the Town Attorney, who shall review same, every month with no amount for that billing period to exceed \$10,000.00 unless prior approval is received from the Town Attorney; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Jonathan Sinnreich, Esq., 1700 Broadway, New York, NY, 10019 and Allen M. Smith, Esq.

The vote, Stark, yes, Prusinowski, yes, Civilletti, absent, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

12/3/91

1309

RESOLUTION NUMBER 686 DATE DEC. 3, 191 ABSTRACT #44 COUNCILPERSON Prusinowski  
Offered the following resolution, which was seconded by COUNCILPERSON Creighton  
RESOLVED, that the SUPERVISOR be, and is hereby authorized to pay the following.....

*****ACCOUNTS*****		*****TOTALS*****
GENERAL TOWN	001	\$352,872.17
PARKING METER	002	\$0.00
AMBULANCE	003	\$0.00
POLICE ATHLETIC LEAGUE	004	\$200.00
TEEN CENTER	005	\$244.27
RECREATION PROGRAM	006	\$554.00
HIGHWAY	111	\$73,107.02
WATER	112	\$27,896.07
REPAIR & MAINTENANCE	113	\$0.00
SEWER	114	\$12,078.67
STREET LIGHTING	116	\$5,074.02
PUBLIC PARKING	117	\$1,974.42
HOSPITALIZATION SELF INSURANCE	174	\$29,322.40
RISK RETENTION	175	\$3,011.21
UNEMPLOYMENT INSURANCE RESERVE	176	\$0.00
ECONOMIC REVOLVING LOAN	178	\$3,641.16
RESIDENTIAL REHAB	179	\$0.00
DISCRETIONARY/SMALL CITIES	180	\$42.19
PUBLIC PARKING DEBT	381	\$0.00
DBG CONSORTIUM ACCOUNT	181	\$0.00
WATER DEBT	383	\$0.00
GENERAL TOWN DEBT	384	\$0.00
SCAVENGER WASTE DEBT	385	\$0.00
TOWN HALL CAPITAL PROJECTS	406	\$93,398.99
TWO BEARS	440	\$0.00
EIGHT HUNDRED SERIES	408	\$0.00
WATER IMPROVEMENTS	409	\$0.00
LOCAL ST & HWY CHIPS	440	\$23.89
YOUTH SERVICE	452	\$1,190.07
SENIORS HELPING SENIORS	453	\$1,535.33
RISEP	454	\$1,046.33
JOINT SCAVENGER WASTE	918	\$17,996.57
MUNICIPAL FUEL	625	\$0.00
MUNICIPAL GARAGE	626	\$16,233.07

RESOLUTION NUMBER 686 DATE DEC. 3, 191 ABSTRACT #44 COUNCILPERSON Prusinowski  
 offered the following resolution, which was seconded by COUNCILPERSON Creighton  
 RESOLVED, that the SUPERVISOR be, and is hereby authorized to pay the following.....

*****ACCOUNTS*****		*****TOTALS*****
GENERAL TOWN	001	\$68,457.31
PARKING METER	002	\$380.83
AMBULANCE	003	\$260.77
POLICE ATHLETIC LEAGUE	004	\$0.00
TEEN CENTER	005	\$33.87
RECREATION PROGRAM	006	\$0.00
HIGHWAY	111	\$9,158.77
WATER	112	\$1,461.44
REPAIR & MAINTENANCE	113	\$5,025.94
SEWER	114	\$10,952.14
STREET LIGHTING	116	\$23,355.17
PUBLIC PARKING	117	\$1,459.37
BUSINESS IMPROVEMENTS DISTRICT	118	\$950.00
HOSPITALIZATION SELF INSURANCE	174	\$51,145.33
RISK RETENTION	175	\$968.58
UNEMPLOYMENT INSURANCE RESERVE	176	\$0.00
ECONOMIC REVOLVING LOAN	178	\$3,750.00
RESIDENTIAL REHAB	179	\$2,780.00
DISCRETIONARY/SMALL CITIES	180	\$0.00
CDBG CONSORTIUM ACCOUNT	181	\$1,800.00
PUBLIC PARKING DEBT	381	\$24.30
SEWER DISTRICT DEBT	382	\$10.25
WATER DEBT	383	\$75,916.30
GENERAL TOWN DEBT	384	\$112,251.25
SCAVENGER WASTE DEBT	385	\$0.00
TOWN HALL CAPITAL PROJECTS	406	\$8,251.10
EIGHT HUNDRED SERIES	408	\$26,078.19
TWO BEARS	440	\$367.02
LOCAL ST & HWY CHIPS	440	\$148.81
YOUTH SERVICE	452	\$63.47
SENIORS HELPING SENIORS	453	\$0.00
EISEP	454	\$0.00
JOINT SCAVENGER WASTE	918	\$14,113.59
MUNICIPAL FUEL	625	\$5,505.32
MUNICIPAL GARAGE	626	\$5,142.65
TRUST & AGENCY	735	\$2,600.40
*****GRAND TOTAL*****		\$432,412.17