

272 CALLS PUBLIC HEARING, RE: INCREASE AND IMPROVEMENT TO
 THE RIVERHEAD SEWER DISTRICT, RE: CHLORINE CONTACT TANK MIXING
 IMPROVEMENTS PURSUANT TO SECTION 202-b OF THE TOWN LAW

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

WHEREAS, the Riverhead Town Board, as governing body of the Riverhead Sewer District has caused Malcolm Pirnie, licensed and competent engineers, to prepare a map and plan detailing improvements to said district, and

WHEREAS, said map and plan details the improvements to the treatment plant consisting of the construction of a new chlorine contact tank facilities to improve disinfection, and

WHEREAS, the maximum amount to be expended as detailed in the map and plan is \$74,000, and

WHEREAS, the improvement to the existing chlorine contact tank mixing facilities to improve disinfection is to be an equally shared cost between the Riverhead-Southampton Scavenger Waste District and the Riverhead Sewer District requiring a public hearing pursuant to Section 202-b of the Town Law, and

WHEREAS, the Town Board of the Town of Riverhead desires to call a public hearing to hear all interested persons wishing to be heard with regard to the increase and improvements to the Riverhead Sewer District comprising improvements to the chlorine contact tank mixing facilities to improve disinfection as detailed in the map and plan as submitted by Malcolm Pirnie which is on file and available for inspection at the office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, during 8:30 a.m. and 4:30 p.m. daily,

NOW, THEREFORE, BE IT RESOLVED, that a public hearing will be held on the 15th day of May, 1990, at 8:00 p.m. to be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons wishing to be heard regarding the increase and improvement of the facilities of the Riverhead Sewer District for improvements to the existing chlorine contact tank mixing facilities at a maximum total cost not to exceed \$74,000, which cost is to be shared equally between the Riverhead-Southampton Scavenger Waste District and the Riverhead Sewer District, and it is further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this entire resolution in the May 2nd issue of The Suffolk Life, and it is further

RESOLVED, that the Town Clerk forward a copy of this resolution to Malcolm Pirnie, Pierre Lundberg, Esq., and Mr. Philip Barbato Regional Waste Water Administrator at the DEC.

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

The resolution was thereupon duly declared adopted.

273 CALLS PUBLIC HEARING, RE: INCREASE AND IMPROVEMENT TO THE RIVERHEAD-SOUTHAMPTON SCAVENGER WASTE DISTRICT, RE: CHLORINE CONTACT TANK MIXING IMPROVEMENTS PURSUANT TO SECTION 202-b OF THE TOWN LAW

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

WHEREAS, the Riverhead Town Board, as governing body for the Riverhead-Southampton Scavenger Waste District has caused Malcolm Pirnie, licensed and competent engineers, to prepare a map and plan detailing improvements to said district, and

WHEREAS, said map and plan details the improvements to the treatment plant consisting of the construction of a new chlorine contact tank facilities to improve disinfection, and

WHEREAS, the maximum amount to be expended as detailed in the map and plan is \$74,000, and

WHEREAS, the improvement to the existing chlorine contact tank mixing facilities to improve disinfection is to be an equally shared cost between the Riverhead-Southampton Scavenger Waste District and the Riverhead Sewer District requiring a public hearing pursuant to Section 202-b of the Town Law, and

WHEREAS, the Town Board of the Town of Riverhead desires to call a public hearing to hear all interested persons wishing to be heard with regard to the increase and improvements to the Riverhead-Southampton Scavenger Waste District comprising improvements to the chlorine contact tank mixing facilities to improve disinfection as detailed in the map and plan as submitted by Malcolm Pirnie which is on file and available for inspection at the office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, during 8:30 a.m. and 4:30 p.m. daily,

NOW, THEREFORE, BE IT RESOLVED, that a public hearing will be held on the 15th day of May, 1990, at 8:05 p.m. to be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons wishing to be heard regarding the increase and improvement of the facilities of the Riverhead-Southampton Scavenger Waste District for improvements to the existing chlorine contact tank mixing facilities at a maximum total cost not to exceed \$74,000, which cost is to be shared equally between the Riverhead-Southampton Scavenger Waste District and the Riverhead Sewer District, and it is further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this entire resolution in the May 2nd issue of The Suffolk Life, and it is further

RESOLVED, that the Town Clerk forward a copy of this resolution to Malcolm Pirnie, Pierre Lundberg, Esq., and the Supervisor and Town Clerk of the Town of Southampton

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,

274 RESOLUTION CALLING PUBLIC HEARING FOR EXTENSION TO THE RIVERHEAD SEWER DISTRICT TO SERVE EAST END COMMONS

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

WHEREAS, a petition has been filed by Wilbur Breslin, owner of East End Commons for an extension to the Riverhead Sewer District to serve their project known as East End Commons located at Route 58 and Oliver Street, Riverhead, New York, as more particularly described as Suffolk County Tax Map Nos. 0600-84-1-12, 0600-109-1-4.1, and 0600-109-1-19.5, and

WHEREAS, a map and plan has been prepared by Malcolm Pirnie, consulting engineers to the Riverhead Sewer District and is on file for public inspection in the Office of the Riverhead Town Clerk during regular business hours, and

WHEREAS, the extension comprises the installation of an eight inch diameter gravity sanitary sewer the length of Oliver Street connecting to the existing sanitary sewer in Northville Turnpike; construction of a four inch diameter force main along Route 58 to the north end of Oliver Street, and the refurbishing of the Howell Avenue pump station at a total cost of \$842,000, which was the subject of a previous hearing held by this Board regarding the application of Bridgewater Estates. The cost of this improvement will be at no expense to the District and will be apportioned between the two projects, and

WHEREAS, all costs associated with this extension shall be borne by the applicant and the applicant will be required to pay key money at an amount to be determined by the Town Board after public hearing. This cost represents the infrastructure costs to the Riverhead Sewer District to service these additional units, with an estimated flow of between 30,700 to 46,050 gallons per day, and

WHEREAS, the engineer has estimated that a 24 inch diameter relief sewer at the head end of the Sewage Treatment Plant will be required to be constructed, a portion of the cost of construction which should be borne by East End Commons representing 8% to 11.5% or \$45,600 to \$65,500 and

WHEREAS, the Howell Avenue pump station will require upgrading to the station's instrumentation, existing pumps and valve, also to be apportioned based upon flow over the total cost which was prepared in a previous report to the Town Board dated January 8, 1990, and shall be charged as additional key money, and

WHEREAS, the Town Board desires to call a public hearing to consider the map and plan,

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and is hereby authorized to publish and post a Notice of Public Hearing to be held on the 15th day of May, 1990, at 8:10 P.M. to hear all interested persons with regard to the petition of East End Commons to extend the Riverhead Sewer District to service the proposed mall to be located at Oliver Street and Route 58, Riverhead, New York, and that this entire resolution be published in the May 2nd issue of The Suffolk Life, and it is further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Malcolm Pirnie, Pierre Lundberg, Esq., Peter S. Danowski, Jr. Esq., and the applicant.

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

The resolution was thereupon duly declared adopted.

275 AUTHORIZES TOWN CLERK TO POST AND PUBLISH THE FOLLOWING NOTICE TO BIDDERS RE: TEMPORARY CHLORINE CONTACT TANK SYSTEM

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Notice to Bidders in the May 2, 1990 issue of Suffolk County Life.

NOTICE TO BIDDERS

PLEASE TAKE NOTICE, that sealed bids for the construction of a Temporary Chlorine Contact Tank System for use by the Riverhead Sewer District and Riverhead/Southampton Scavenger District will be received by the Town Clerk of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901 until 11:15 a.m. on Monday, May 14, 1990.

Instructions for bidders, specifications, and bid forms may be obtained at the Town Clerk's Office at Riverhead Town Hall, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet bearing the designation "Exception to the Specification", and attached to the bid form. The award of this bid is subject to the approval of the Towns of Riverhead and Southampton.

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

All bids will be submitted in a sealed envelope bearing the designation Temporary Chlorine Contact Tank System.

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

DATED: May 1, 1990
Riverhead, New York

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

#276 ENCOURAGES STATE LEGISLATURE TO CONDUCT FEASIBILITY STUDY
RE: CREATION OF PECONIC COUNTY

Whereas, the Towns of East Hampton, Riverhead, Shelter Island, Southampton, and Southold have long expressed interest in the formation of a separate County as evidenced by an advisory 1968 referendum overwhelming approving a new county.

Whereas, the rationale for the creation of a new county, including home rule authority, a different economic and social base, and a desire to streamline government, are as relevant today as in 1968, and

Whereas, the East End contributes nearly 25% of the general fund real property tax revenue to Suffolk County and a high proportion of sales tax revenue per capita from its 8% of Suffolk's population, and

Whereas, if Peconic County were created, out of 57 counties in New York State outside of New York City, it would be 19th in population and 6th in assessed value, and

Whereas, the major legal obstacle to the creation of Peconic County has been a state constitutional requirement requiring a newly created County to have a population sufficient to entitle it to a member of the State Assembly, and

Whereas, the most recent LILCO population survey indicates that the proposed Peconic County has a population which would constitutionally entitle it to a member of the State Assembly, and

Whereas, said population must be confirmed in the 1990 federal census, and

Whereas, upon completion of the federal census, it is desirous that the electorate of the five East End towns have the opportunity to decide the fate of Peconic County for themselves, and

Whereas, said decision must be an informed one based on an objective, independent and factual analysis of the feasibility of a new county, and

Whereas, the State of New York, with responsibility for the creation of new political subdivisions is the proper entity for the preparation of such a feasibility study, and

Whereas, in the case of Staten Island the State Legislature by its fiscal committees did prepare a feasibility study before scheduling a referendum for a new city this year, now therefore, be it

Resolved, that this body hereby requests its state legislative representatives to take all necessary steps to have prepared or caused to be prepared a feasibility study for a new county in a form similar to that prepared for Staten Island, and, be it further,

Resolved, that a copy of this resolution be forwarded to Assemblyman John Behan and Joseph Sawicki, and State Senator Kenneth LaValle.

Councilman Lombardi offered the above resolution which was seconded by Councilwoman Civiletti.

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

The resolution was thereupon duly declared adopted.

277AUTHORIZED THE SOLICITATION OF BIDS FOR
USED MAXI-VAN

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

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of a USED MAXI-VAN for use by the SENIORS HOME CHORE PROGRAM, 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 May 14, 19 90, 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, yes, Lombardi, yess, Janoski, yes.
The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of USED MAXI-VAN for use by
the SENIORS HOME CHORE PROGRAM 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 May 14 19⁹⁰.

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
USED MAXI-VAN.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Irene J. Pendick, Town Clerk

RESOLUTION # 278 AUTHORIZING TRANSFER OF PROPERTY FOR AFFORDABLE HOUSING

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

WHEREAS, the Town of Riverhead under its affordable housing program does acquire and rehabilitate single family dwelling units utilizing Community Development Block Grant funds for sale to low and moderate income families; and

WHEREAS, the subject property was acquired and rehabilitated and is to be conveyed pursuant to the program.

NOW, THEREFORE, BE IT RESOLVED that property known as 0600-127-7-21 and located at 12 Riverside Drive is hereby authorized to be transferred to Wayland and Darlene Taylor for consideration of \$66,000; and

BE IT FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute any and all documents necessary to effectuate the transfer of property to the eligible low and moderate income persons; and

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

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

The resolution was thereupon duly declared adopted.

279 AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER NO. 3
RE: GARRETT CONSTRUCTION (JAMESPORT BEACH HANDICAP
FACILITY

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

WHEREAS, the Riverhead Town Board previously authorized the Supervisor to execute a contract on behalf of the Town of Riverhead with Garrett Construction; and

WHEREAS, the engineer retained by the Town has submitted a change order with a recommendation of approval, copy attached.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute the attached change order; and

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

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

280 APPROVES REQUEST OF JAMESPORT FIRE DEPARTMENT TO HOLD ANNUAL BAZAAR

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

WHEREAS, the Jamesport Fire Department, by letter dated April 4, 1990, has made an application to hold a bazaar at the Jamesport Community Center from Tuesday, July 17, 1990 through Sunday, July 22, 1990; and

WHEREAS, the applicant is requesting exemption from Section 46-3 through 46-8 of the Riverhead Town Code entitled "Consumption in Public Places".

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby grants permission to the Jamesport Fire Department to hold its annual bazaar at the Jamesport Community Center from July 17, 1990, through July 22, 1990, pursuant to the Jamesport Fire Department submitting proof of insurance in the amount of \$1,000,000.00 naming the Town of Riverhead as additional insured; and

BE IT FURTHER RESOLVED, that the applicant be and is hereby exempt from Section 46-3 through 46-8 of the Riverhead Town Code; and

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

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

The resolution was thereupon duly declared adopted.

281 APPROVES REQUEST OF EAST END ARTS AND HUMANITIES COUNCIL TO HOLD JAZZ FESTIVAL (EASTERN MOST SECTION OF PECONIC RIVER MUNICIPAL PARKING AREA)

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

WHEREAS, the East End Arts Council on April 25, 1990 did submit with the Office of the Town Clerk the necessary application to hold a Jazz Festival on June 30, 1990 from 3:00 p.m. to 9:00 p.m. in the eastern most section of the Peconic River Municipal Parking area; and

WHEREAS, the East End Arts Council has submitted proof of insurance in the amount of \$1,000,000.00 naming the Town of Riverhead as additional insured.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby grants permission to the East End Arts Council permission to hold a Jazz Festival on June 30, 1990 in the eastern most section of the Peconic River Municipal Parking area from 3:00 p.m. - 9:00 p.m.; and

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, abstain, Lombardi, Yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

282 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO SECTION 101-10.1 OF THE RIVERHEAD TOWN CODE

Councilperson Prusinowski 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 Section 101-10.1, Parking, standing and stopping prohibited, of the Riverhead Town Code:

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of May, 1990, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Section 101-10.1, Parking, standing and stopping prohibited, of the Riverhead Town Code as follows:

Street/Area	Side	Location
<u>Hulse Landing Road</u>	<u>West</u>	<u>From the intersection of Hulse Landing Road with 17th Street 200 feet South</u>

Dated: Riverhead, New York
May 1, 1990.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

283 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post "Help Wanted Ad" in the official newspaper of the Town of Riverhead:

HELP WANTED AD

PLEASE TAKE NOTICE, the Town of Riverhead is seeking individuals interested in the position of Maintenance Mechanic II with the Sewer/Scavenger Waste District. Qualifications for this position are at least two years working experience in a skilled trade, such as plumbing or electrical, etc.

Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications will be accepted, for this position after May 14, 1990. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age or handicapped status in employment or the provisions of service.

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

Dated: May 1, 1990
Riverhead, New York

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

The resolution was thereupon duly declared adopted.

5/01/90

284 Appoints Official Scorekeeper to Riverhead Recreation
Department

Civiletti offered the following
resolution and seconded by Lombardi.

RESOLVED, That Marisa Kelly is hereby appointed to
serve as Official Scorekeeper effective May 7, 1990 to and
including September 7, 1990, to be paid bi-weekly at the
rate of \$8.50 per game and to serve at the pleasure of the
Town Board.

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

The resolution was thereupon duly declared adopted.

285

AUTHORIZES TOWN CLERK TO COMPLETE FORM TE9a RE: SPEED
LIMIT ON TOWN BEACH ROAD AND PECONIC BAY BOULEVARD,
JAMESPORT, NEW YORK

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

RESOLVED, that the Town Clerk be and is hereby authorized to complete form TE9a and forward same to the New York State Department of Transportation to cause New York State to investigate the reduction of the speed limit on certain Town roads known as Town Beach Road and Peconic Bay Boulevard, Jamesport, New York.

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

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD

RESOLUTION # 286

AWARDS BID FOR ACRYLIC WATER BASED TRAFFIC PAINT
COLD APPLICATION

COUNCILPERSON Prusinowski
OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILPERSON Stark.

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS FOR THE PURCHASE OF **ACRYLIC WATER BASED TRAFFIC PAINT - COLD APPLICATION** FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE **16TH OF APRIL AT 11:00 A.M.** AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, TWO BIDS WERE RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR ACRYLIC WATER BASED TRAFFIC PAINT - COLD APPLICATION BE AND IS HEREBY AWARDED TO CAPITOL HIGHWAY MATERIALS, P.O. BOX 216, RT. 6, BALDWIN PLACE, NEW YORK 11505, IN THE AMOUNT OF \$19,866.00.

BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO **CAPITOL HIGHWAY MATERIALS** AND THE RIVERHEAD HIGHWAY DEPARTMENT.


CBB

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, no.

The resolution was thereupon duly declared adopted.

287 APPOINTS ASSESSMENT CLERK TO THE ASSESSOR'S OFFICE

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

WHEREAS, a position of Assessment Clerk presently exists in the Assessor's Office, and

WHEREAS, Suffolk County Department of Civil Service has provided us with a certified list of applicants for Assessment Clerk; and

WHEREAS, all willing acceptors have been interviewed; and

WHEREAS, Maribeth Powers does appear on said list;

NOW, THEREFORE, BE IT RESOLVED, that Maribeth Powers is hereby appointed to the position of Assessment Clerk at Group 5, Step P of the Clerical and Supervisory salary schedule for 1990 at an annual salary of \$17,007.91 effective May 14, 1990;

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Maribeth Powers, 22 Wesley Place, Riverhead, New York; LeRoy Barnes, Chairman, Board of Assessors; and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

288 AMENDS SITE PLAN OF JOHN J. MUNZEL AND CAROL J. MUNZEL

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

WHEREAS, by Resolution #754, dated November 8, 1989, the Town Board of the Town of Riverhead did approve the site plan of John J. Munzel and Carol J. Munzel for the construction of a parking area and attendant site improvements, located at 548 Roanoke Avenue, Riverhead, New York, known as designated as Suffolk County Tax Map Number 0600-126-4-23, and

WHEREAS, the owner has requested a modification to said approved site plan, involving the location of the ramp for handicapped access and a section of curbing; as shown on a site plan prepared by Gordon K. Ahlers, P.E., 188 Manor Lane, Jamesport, New York, dated July 18, 1989, and last revised April 7, 1990, and

WHEREAS, the Planning Department has reviewed said modifications and has recommended to the Town Board that said modifications be approved, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan of John J. Munzel and Carol J. Munzel be and is hereby modified by the Town Board of the Town of Riverhead to reflect the site plan prepared by Gordon K. Ahlers, P.E., 188 Manor Lane, Jamesport, New York, dated July 18, 1989, and last revised April 7, 1990, and

BE IT FURTHER

RESOLVED, that a separation shall be provided in the areas indicated on the site plan initialled by a majority of the Town Board, using grid block pavers and subject to approval of the Fire Marshal, and

BE IT FURTHER

RESOLVED, that all remaining provisions of Town Board Resolution #754 shall remain in full force and effect and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copies of this resolution to John J. and Carol J. Munzel, Gordon K. Ahlers, P.E., the Riverhead Planning Department, Building Department, and Office of the Town Attorney.

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

The resolution was thereupon duly declared adopted.

#289 APPROVES SITE PLAN OF JAMESPORT METRO SERVICE STATION

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

WHEREAS, a site plan was submitted by Frank Nealon as agent for Permit Research and Acquisition for demolition of an existing structure, construction of a canopy over gasoline pump islands, and associated site improvements located at southwest corner of Main Road (New York State Route 25) and South Jamesport Avenue, Jamesport, New York, known and designated as Suffolk County Tax Map Number 0600-68-4-65; and

WHEREAS, the Planning Department has reviewed the site plan dated May 12, 1989, last revised March, 1990 (Revision 5), as prepared by M. H. Deutzman, P.E., 58 Cherry Lane, Smithtown, New York, 11787, and has recommended that said site plan application be approved by the Town Board of the Town of Riverhead AS AMENDED IN-HOUSE and initialled by a majority of the Town Board; and

WHEREAS, the Environmental Quality Review Board has determined that the action is a(n) Type II Action without significant impact upon the environment; 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 submitted by Frank Nealon as agent for Permit Research and Acquisition, for demolition of an existing structure, construction of a canopy over gasoline pump islands, and associated site improvements, located at southwest corner of Main Road (New York State Route 25) and South Jamesport Avenue, Jamesport, New York, site plan dated May 12, 1989, last revised March, 1990 (Revision 5), as prepared by M. H. Deutzman, P.E., 58 Cherry Lane, Smithtown, New York, 11787, be and is hereby approved by the Town Board of the Town of Riverhead, AS AMENDED IN-HOUSE and initialled by a majority of the Town Board 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 receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;
8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;
9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, 801F REALTY CORPORATION hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of Main Road (New York State Route 25) and South Jamesport Avenue, Jamesport, New York, to enforce said handicapped parking regulations;
10. That by execution and filing of this document, 801F REALTY CORPORATION hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of Main Road (New York State Route 25) and South Jamesport Avenue, Jamesport, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

11. 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;

12. That all utilities shall be constructed underground;

13. That additional plantings shall be provided and located as indicated on the site plan initialled by a majority of the Town Board;

14. That curbing shall be provided as indicated on the site plan initialled by a majority of the Town Board;

15. That this site plan approval shall be subject to all requirements of the New York State Department of Transportation; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Frank Nealon as agent for Permit Research and Acquisition, M. H. Deutzman, P.E., 801F Realty Corporation, the Riverhead Planning Department, the Riverhead Building Department, and the Office of the Town Attorney.

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

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1989, made by 801F REALTY CORPORATION, residing at P.O. Box 3069, Farmingdale, NY 11735, 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 receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

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

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

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

9. That by execution and filing of this document, 801F REALTY CORPORATION hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of Main Road (New York State Route 25) and South Jamesport Avenue, Jamesport, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

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

11. That all utilities shall be constructed underground;

12. That additional plantings shall be provided and located as indicated on the site plan initialled by a majority of the Town Board;

13. That curbing shall be provided as indicated on the site plan initialled by a majority of the Town Board;

14. That this site plan approval shall be subject to all requirements of the New York State Department of Transportation; and be it further

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

801F REALTY CORPORATION By:

290 APPROVES SITE PLAN OF NORSTAR BANK

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

WHEREAS, a site plan was submitted by John H. Mitchell as agent for Norstar Bank for installation of an automated teller machine on an outside wall located at southwest corner of County Route 58 and Northville Turnpike (County Route 43), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-109-1-19.4; and

WHEREAS, the Planning Department has reviewed the site plan dated March 26, 1990, as prepared by August Petrone, AIA-Integra Commercial Interiors, Inc., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Environmental Quality Review Board has determined that the action is a(n) Type II Action without significant impact upon the environment; 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 submitted by John H. Mitchell as agent for Norstar Bank, for installation of an automated teller machine on an outside wall, located at southwest corner of County Route 58 and Northville Turnpike (County Route 43), Riverhead, New York, site plan dated March 26, 1990, as prepared by August Petrone, AIA/Integra Commercial Interiors, Inc., be and is hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

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

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

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

5. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and 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, STAC ASSOCIATES hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of County Route 58 and Northville Turnpike (County Route 43), Riverhead, New York, to enforce said handicapped parking regulations;

8. That by execution and filing of this document, STAC ASSOCIATES hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of County Route 58 and Northville Turnpike (County Route 43), Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John H. Mitchell as agent for Norstar Bank, Integra Commercial Interiors, Inc., Stac Associates, the Riverhead Planning Department, the Riverhead Building Department, and the Office of the Town Attorney.

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

The resolution was thereupon duly declared adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1989, made by STAC ASSOCIATES, residing at 1455 Veterans Memorial Highway, Hauppauge, NY 11788, 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;

291 AUTHORIZES ATTENDANCE OF CHIEF OF POLICE AT CONFERENCE

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

WHEREAS, the New York State Association of Chiefs of Police, Inc., will be sponsoring the 1990 Annual Training Conference to be held August 26-30, 1990, in Albany, New York; and

WHEREAS, it is the desire of Chief Lawrence Grattan to attend said seminar.

NOW, THEREFORE, BE IT RESOLVED, that Chief Lawrence Grattan be and is hereby authorized to attend the aforementioned conference from August 26-30, 1990; and

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

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

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

The resolution was thereupon duly declared adopted.

292 AUTHORIZES TOWN CLERK TO POST AND PUBLISH DISPLAY AD
RE: PART-TIME BAY CONSTABLE

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

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the below Help Wanted Display Ad in the May 2, 1990 issue of Suffolk County Life.

HELP WANTED AD

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Part-time Bay Constable. Applicants must have certification as a Suffolk County Peace Officer, must possess a High School Diploma, a valid New York State Driver's License, experience in boating and navigation law, and must be in good physical condition.

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 May 14, 1990. 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: May 2, 1990
Riverhead, NY

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

293 AWARDS BID FOR BAITING HOLLOW COTTAGE CONDOMINIUM WATER LATERAL

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for Baiting Hollow Cottage Condominium water lateral; and

WHEREAS, bids were received, opened and read aloud on the 30th day of April, 1990, 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.

WHEREAS, the bids have been reviewed by Holzmacher, McLendon & Murrell, P.C., consulting engineers for the Riverhead Water District, who by letter dated May 1, 1998, recommended that the bid be awarded to Private Water Services of L.I., Inc., in the amount of fifty-nine thousand nine hundred eighty-seven and 00/100 (\$59,987.00) dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Baiting Hollow Cottage Condominium water lateral be and is hereby awarded to Private Water Services, of L.I., Inc. in the amount of fifty-nine thousand nine hundred eighty-seven and 00/100 (\$59,987.00) dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Private Water Services of L.I., Inc., the Riverhead Water District, Piere G. Lundberg, Esq. and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

294 ENCOURAGES CREATION OF SUFFOLK COUNTY INTERGOVERNMENTAL RELATIONS COUNCIL AND ENDORSES THE PARTICIPATION OF THE TOWN OF RIVERHEAD

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

WHEREAS, it is essential that the various levels of local government work cooperatively to promote the efficient and economical provision of local government services to its constituents; and

WHEREAS, it is a recommendation of the Local Government Council on the Elimination of Waste and Duplication that an Intergovernmental Relations Council be established; and

WHEREAS, the establishment of an Intergovernmental Relations Council provides a formal structure for developing cooperative arrangements between local governments which determines the level of government best able to address the diverse needs of Suffolk County and to identify areas of possible duplication and waste; and

WHEREAS, in 1983, an Act to amend the general municipal law in relation to the establishment of an Intergovernmental Relations Council was adopted thereby providing the legislative authority to unite governmental entities and create a single forum for discussion and problem solving in government.

NOW, THEREFORE, BE IT RESOLVED, it is the sense of this legislative body to encourage the creation of the Suffolk County Intergovernmental Relations Council which shall have as its goal to advise practical ways and means for obtaining greater economy and efficiency in the planning and provision of municipal services; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Offices of the Town Clerk of the Town of Suffolk County, County Executive Halpin, Clerk of the Suffolk County Legislature, Senator Kenneth P. LaValle and Assemblyman J. Sawicki.

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

The resolution was thereupon duly declared adopted.

295 RECOGNIZES MAY 3, 1990 AS NATIONAL DAY OF PRAYER

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

WHEREAS, the founding fathers of this republic in their Declaration of Sovereignty from the British Crown declared a certain regard for our creator; and

WHEREAS, it is contained in the Bill of Rights as a basic American principle that each man shall be free to choose his own religion and to practice it according to the dictates of his own conscience; and

WHEREAS, the strength of our Great Nation lies within the faith of its people; and

WHEREAS, May 3, 1990 has been recognized as National Day of Prayer.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does join in this national effort and recognizes May 3, 1990 to be

DAY OF PRAYER

in the Town of Riverhead and urges its citizens to take a moment to reflect; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the National Prayer Assembly, P. O. Box 90600, Washington, D.C., 20090, Mary Totten, RFD 2, Box 380, Riverhead and the Riverhead Council of Churches.

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

The resolution was thereupon duly declared adopted.

296 IMPLORES NEW YORK STATE LEGISLATURE TO AMEND
ENVIRONMENTAL CONSERVATION LAW SECTION 27-0701

The following resolution was introduced by Councilperson
Civiletti and seconded by Councilperson Lombardi.

WHEREAS, on July 3, 1989 the Town of Riverhead submitted an application to the New York State Department of Environmental Conservation to construct a permanent household hazardous waste containment facility, to be funded by a grant from New York State, pursuant to a pre-application conference between the Town of Riverhead and the New York State Department of Environmental Conservation on April 25, 1989; and

WHEREAS, since the time of making said permit application, the Town of Riverhead has purchased and taken delivery of a pre-fabricated household hazardous waste containment facility, with the knowledge and consent of the New York State Department of Environmental Conservation as funding agency; and

WHEREAS, between the date of submission of said permit application and March, 1990, a period of some eight months, the Town of Riverhead responded to several requests for additional information made by the Hazardous Waste Division of the New York State Department of Environmental Conservation and contained in communications from said Department known as Notices of Incomplete Application; and

WHEREAS, the Town of Riverhead has fulfilled all requests and requirements of the New York State Department of Environmental Conservation with respect to said permit application, culminating in the issuance, by said Department, in March, 1990 of a Notice of Complete Application in connection with said permit application, as per the attached letter to the Town of Riverhead from the Department of Environmental Conservation, dated February 12, 1990; and

WHEREAS, the Department of Environmental Conservation, on April 24, 1990, gave the Town of Riverhead verbal notification that said application to construct a household hazardous waste containment facility is DENIED, based on Sections 27-0701(2) and 27-0707(2)(b) of the New York State Environmental Conservation Law and regulations purportedly promulgated pursuant to said statute; and

WHEREAS, a permanent household hazardous waste containment facility situated at the Riverhead landfill, and open during regular business hours, is crucial to the effective separation of household hazardous wastes and diversion of such wastes from the town landfill; and

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

The resolution was thereupon duly declared adopted.

2. The Department's denial of the Town's application flies in the face of the Department's statutory purpose: protection of the environment; the Department's position effectively ensures that household hazardous wastes which might have been diverted from the Town's unlined landfill will continue to be buried at the Town's landfill.

3. The State Legislature did not seem to have storage facilities of this nature in mind when it enacted Sections 27-0707(2)(b) and Section 27-0701(2) of the Environmental Conservation Law in 1988, since a household hazardous waste containment facility is clearly not a "facility employed beyond the initial solid waste collection process", and thus exempted from the statutory definition of "solid waste management facility" adopted by the Legislature.

4. The Department of Environmental Conservation exceeded its authority when it promulgated a regulation defining "solid waste management facility", which had already been defined by the Legislature, and, in doing so, changed the definition enacted by the legislature.

5. The Town Board of the Town of Riverhead implores the Legislature of the State of New York to amend, prior to the close of the current legislative session, Environmental Conservation Law Section 27-0701(2), the definition of "solid waste management facility" to specifically exclude household hazardous waste containment facilities.

AND BE IT FURTHER RESOLVED:

6. The Town Board of the Town of Riverhead finds the action of the Department of Environmental Conservation to be shocking to all sense of fairness and good faith. The Town of Riverhead, in reliance on the Department's representation that state financial assistance would be made available to the Town for the establishment of the household hazardous waste containment facility, purchased the facility at a cost of approximately \$10,000.00, and has, for eight months, expended a great deal of energy and substantial additional costs to provide the Department with a complete and accurate application to construct the containment facility. This Board finds it patently unfair and unreasonable that the Department would, after a year of "processing" the Town's application, at the eleventh hour find cause to deny the application in the aforementioned statutory and regulatory provisions which were in place all along. Such behavior is reprehensible in any regulatory body, particularly where substantial monies and the quality of the environment are at risk.

WHEREAS, periodic household hazardous waste collection days, known as "STOP days" have proven ineffective and costly for the Town of Riverhead and other municipalities; and

WHEREAS, the burial of household hazardous wastes in the existing unlined landfill presents a significant threat to the groundwater in the Town of Riverhead, especially if the Department of Environmental Conservation's classification of the Town's unlined landfill as an area of deep-flow recharge is accurate; and

WHEREAS, New York State Environmental Conservation Law Section 27-0701(2) as enacted by the Legislature of the State of New York in 1988, defines "Solid waste management facility" as excluding "any facility employed beyond the initial solid waste collection process"; and

WHEREAS, the Department of Environmental Conservation promulgated, effective December 31, 1988, a regulation which expanded the definition of "solid waste management facility" to include "storage areas and facilities"; and

WHEREAS, the Department of Environmental Conservation now relies upon the definition of "solid waste management facility" it promulgated as Regulation 360- to include the Town of Riverhead's proposed household hazardous waste containment facility; and

WHEREAS, the Department of Environmental Conservation has chosen, using its expanded definition of "solid waste management facility", to deny the Town of Riverhead's application for a permit to construct a permanent household hazardous waste containment facility, relying on the provisions of Environmental Conservation Law Section 27-0707(2)(b), which states:

"that after January first, nineteen hundred ninety an application for a permit to construct a solid waste management facility made by or on behalf of a municipality in a planning unit shall not be complete until a local solid waste management plan is in effect for such municipality pursuant to section 27-0107 of this article..."

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Riverhead vehemently objects to the decision by the New York State Department of Environmental Conservation, after more than eight months of "processing", the Town's application for a permit to construct a household hazardous waste containment facility.

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7. The Town Board of the Town of Riverhead demands that the Governor and the Legislature of the State of New York hold the Department of Environmental Conservation accountable for its actions in this matter.

BE IT FURTHER RESOLVED that the Town Clerk of the Town of Riverhead forward certified copies of this Resolution to Governor Mario M. Cuomo, Senator Kenneth LaValle, Assembly Member Sawicki, Assembly Member Behan and NYS DEC Commissioner Thomas Jorling.