

*Town Clerk*  
*Barbara Grattan*

**TOWN BOARD MEETING  
AGENDA  
February 6, 2001**

**ROBERT F. KOZAKIEWICZ, Supervisor**

**Edward Densieski, Councilman  
Philip Cardinale, Councilman**

**Christopher Kent, Councilman  
James Lull, Councilman**

**Barbara Grattan, Town Clerk  
Dawn Thomas, Town Attorney**

**ELECTED OFFICIALS**

**Laverne Tennenberg  
Madelyn Sendlewski  
Paul Leszczynski  
Mark Kwasna  
Diane M. Stuke  
Richard Ehlers  
Allen M. Smith**

**Chairwoman Board of Assessors  
Board of Assessors  
Board of Assessors  
Highway Superintendent  
Receiver of Taxes  
Town Justice  
Town Justice**

**DEPARTMENT HEADS**

**John J. Hansen  
Leroy Barnes  
Andrea Lohneiss  
Ken Testa  
Richard Hanley  
Chief Joseph Grattan  
Jane Vanden Thoorn  
Judy Doll  
John Reeve  
Michael Reichel  
Gary Pendzick**

**Accounting Department  
Building Department  
Community Development  
Engineering Department  
Planning Department  
Police Department  
Recreation Department  
Senior Services  
Sanitation Department  
Sewer District  
Water Department**

# Call to Order and Salute to the Flag

Approves Minutes of Town Board Meeting of January 16<sup>th</sup>  
2001, moved by Councilperson \_\_\_\_\_,  
seconded by Councilperson \_\_\_\_\_.

## REPORTS

Town Clerk: Monthly report for January, 2001  
Total Collected: \$17,404.05

Annual Report for 2000  
Total Monies Collected-\$134,285.00

Police Dept.: Monthly Report for December, 2000  
Annual Report for 2000

Juvenile Aid Bureau: Annual Report for 2000

Sewer Dist.: Discharge Monitoring Report for December, 2000

Tax Receiver: Total Collections to Date: \$35,394,297.41  
Utility Collections Report For January-Total Collected: \$211,635.66

### STATISTICS FROM THE TOWN CLERK'S OFFICE

298 Births Occurred in Town  
474 Deaths Occurred in Town  
3188 Death Certificates were issued  
713 Birth Certificates were issued  
7128 Burials in Calverton National Cemetery  
1106 Dog Licenses were issued

Most Popular Boy's Name-Matthew and Christian  
Most Popular Girl's Name-Ashley  
Most Unusal Name-Xochitlitzihuitl

# APPLICATIONS

## Site Plans:

PRG Corp. Middle County Road, Calverton-  
Construct building trade shop

Nino Militello-721 East Main Street, Rhd.  
Conversion of a portion of building into 3 retail stores.

Philip C. Hancock-S/S of East Main Street  
Renovations of existing retail spaces & construction of new  
2 story building.

True Tech, Inc. -N/S of Elton Street  
Construct a 30,000-sq. ft. structure for storage

## Special Permits:

Mid Road Properties, LLC-Middle Road, Rhd.  
Build reasonably priced housing for senior citizens

Sprint Spectrum-Construct a wireless public utility  
Communication facility

# CORRESPONDENCE

## Bob Kaelin:

Re: Fishel Ave. closure-Against its closure

## Virginia Becker &

## Mr Harrigan

## Douglas Donnelly

Requesting Stop Signs at the intersections of North Side  
Road & on Remsen Road, on North Wading River Road.

## Robert & Carol

## Hering

Re: Objection to a subdivision on the property on Youngs  
Avenue next to the Landfill

## Bernadette Ann Voras

## 10 Overbrook Street, Rhd.

Re: Group Home at 7 Eight Bells Road, Rhd.

## Petition:

40 Names In favor of the Senior Center

# COMMITTEE REPORTS

## **PUBLIC HEARINGS**

- 7:05 p. m.**     **The Consideration of the Purchase of Property Located at 60 Shade Tree Lane, Aquebogue, to allow for the operation of a senior citizen center.**
- 7:10 p.m.**     **The Consideration of a Local Law to amend Chapter 101 of the Town Code-Vehicles & Traffic.”**  
**Section 101-8 Weight Limits on following streets.**  
**Fanning Street**  
**Hinda Boulevard**  
**Industrial Boulevard**  
**JT Boulevard**
- 7:15 p.m.**     **The Consideration of a Establishment and Operation of an Individualized Residential Alternative at 7 Eight Bells Road, Rhd.**
- 7:20 p.m.**     **The Soliciting of comments regarding the relocation of National Response Corporation from Edwards Avenue, Calverton to the Tech Center, Great River, NY within the township of Islip Economic Development Zone.**
- 7:25 p.m.**     **The Consideration of a Local Law to add a new Chapter 94 entitled, “Tobacco Advertising” to the Town Code.**
- 7:30 p.m.**     **The Consideration of a Local Law to repeal and replace Chapter 90 entitled, “Special Events” of the Town Code.**

**PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:**

**Regular Town Board Meeting:**

- #85** Authorizes Fire Marshall to Attend Class
- #86** Authorizes Attendance at the 2001 Training School held by the Associations of Towns
- #87** Authorizes Electrical Inspector to Attend Seminar
- #88** Authorizes Attendance at the NYS Government Finance Officers' Association 2001 Annual Conference
- #89** Water Ext. #54 Twomey Avenue Budget Adjustment
- #90** Water Well 4-2 Improvement Capital Project Budget Adjustment
- #91** Water ext. #41B Northside Estates Budget Adjustment
- #92** Hubbard Estates Water Ext. Capital Project Budget Adjustment
- #93** Grangebelle Park Bulkheading & Foot Bridge Capital Project Budget Adoption
- #94** Animal Shelter Donation Fund Budget Adjustment
- #95** Wading Woods Condo Water Project Budget Adjustment
- #96** 247 Overlook Drive Chapter 54 Project Budget Adoption
- #97** Highway Maintenance Facility Roof Replacement Budget Adoption
- #98** General Fund Budget Adjustment
- #99** Accepts the Retirement of Charles Downs in the Highway Department
- #100** Appoints Interpretation Consultant for Police Department and Justice Court
- #101** Appoints Interpretation Consultant for Police Department and Justice Court

- #102** Ratifies Appointment of a Recreation Aide to the Riverhead Recreation department (M. Kozma)
- #103** Ratifies Appointment of a Recreation Aide to the Riverhead Recreation department (S. Darling)
- #104** Appoints a Bus Driver to the Riverhead Recreation Department (R. Fox)
- #105** Appoints a Bus Driver to the Riverhead Recreation Department (M. Slovensky)
- #106** Appoints a Bus Driver to the Riverhead Recreation Department (D. Acuri)
- #107** Appoints a Bus Driver to the Riverhead Recreation Department (E. Mosley)
- #108** Appoints a Bus Driver to the Riverhead Recreation Department (W. Orth)
- #109** Ratifies Appointment of a Recreation Aide to the Riverhead Recreation department (A. Stewart)
- #110** Appoints a Recreation Aide to the Riverhead Recreation Department (M. Eckstein)
- #111** Appoints a Recreation Aide to the Riverhead Recreation Department (J. Friscia)
- #112** Appoints a Recreation Aide to the Riverhead Recreation Department (D. Graham)
- #113** Appoints a Recreation Aide to the Riverhead Recreation Department (E. Max)
- #114** Appoints a Recreation Aide to the Riverhead Recreation Department (D. Needham)
- #115** Appoints a Recreation Aide to the Riverhead Recreation Department (M. Cooper-Upshur)
- #116** Appoints a Recreation Aide to the Riverhead Recreation Department (D. Hennenlotter)

- #117** Appoints a Recreation Aide to the Riverhead Recreation Department (D. Troge)
- #118** Appoints a Recreation Aide to the Riverhead Recreation Department (J. Nicolellis)
- #119** Appoints a Recreation Aide to the Riverhead Recreation Department (S. Truland)
- #120** Appoints a Recreation Aide to the Riverhead Recreation Department (L. Walters)
- #121** Appoints a Part Time Driver/Messenger (R. Stiegler)
- #122** Promotion to C.E.O. (Walter O'Kula)
- #123** Promotion to C.E.O. (Ben Miller)
- #124** Promotion to C.E.O. (William Devos)
- #125** Authorizes Town Clerk to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, "Trash, Rubbish and Refuse Removal" of the Riverhead Town Code (43 Kay Road)
- #126** Authorizes the Release of Performance Bond for Southern Interiors/Fashion Bug
- #127** Authorizes the Release of Performance Bond for John B. Tandy (Republic Abstract)
- #128** Authorizes the Release of Performance Bond for Stephen Wirth dba The Little Guppy
- #129** Authorizes the Supervisor to Execute Necessary Stipulations and/or Releases in Connection with "Manor Lane Estates"
- #130** Authorizes Release of SCNB Irrevocable Letter of Credit of Country Vue Estates (Water District Key Money)
- #131** Authorizes Release of Certificate of Deposit of Country Vue Estates
- #132** Authorizes Supervisor to Execute Agreement with Peconic Land Trust

- #133** Authorizes the Town Clerk to Publish and Post a Help a Help Wanted Ad for Part Time Animal Control Officer
- #134** Awards Bid for Removal and Disposal of Grit and Screen Riverhead Sewer District- Riverhead/Southampton Scavenger Waste District
- #135** Authorizes Town Clerk to Advertise for Bids – Riverhead Water District- Construction of Plant No. 12, Contract No. 3, Electrical Work
- #136** Authorizes Town Clerk to Advertise for Bids – Riverhead Water District- Construction of Plant No. 12, Contract No. 2, General Construction and Mechanical Work
- #137** Authorizes Town Clerk to Advertise for Bids – Riverhead Water District- Construction of Plant No. 12, Contract No. 1, Well and Well Pump Work
- #138** Authorizes Town Clerk to Advertise for Bids --Riverhead Water District- Shade Tree Acres
- #139** Authorizes Town Clerk to Advertise for Bids – Riverhead Water District- Extension No. 60, Equestrian Estates
- #140** Authorizes the Town Clerk to Publish and Post Notice to Bidders for Stotzky Park- All Children's Playground
- #141** Authorization to Publish Bid for Chemicals
- #142** Authorization to Publish Bid for Diesel Fuel
- #143** Authorization to Publish Bid for Propane
- #144** Authorization to Publish Bid for Water Service Materials
- #145** Authorization to Publish Bid for Electronics
- #146** Authorization to Publish Bid for One (1) New Four Post Mobil Electro-Hydraulic Jack
- #147** Authorizes Rates for Police Athletic League (P.A.L.) Programs Registration Fees for Year 2001
- #148** Authorizes Rates for Umpires and Referees for Police Athletic League (P.A.L.) Programs for Year 2001

- #149** Terminating Tax Exempt Status Previously Granted Peconic United Methodist Housing Development Fund Company Pursuant to Article 11 of the New York State Private Housing Finance Law
- #150** Accepts Offer of dedication of Waterfront Property Owned by John and Frances DiVello (Dolphin Way)
- #151** A resolution Authorizing the Issuance of \$1,500,000 Serial Bonds of the Town of Riverhead, Suffolk County, New York, to Pay the Cost of the Construction of an Addition to and the Reconstruction of the Municipal Garage in and for said Town.
- #152** Adopts a Local Law to Amend Chapter 95 Entitled, "Taxation" of the Riverhead Town Code
- #153** Authorizes Town Clerk to Post and Publish Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 (Vehicles and Traffic) of the Riverhead Town Code
- #154** Order Calling Public Hearing for Plant Improvements, Riverhead Water District Office/Control center, 202b
- #155** Order Calling Public Hearing- Extension 63 to the Riverhead Water District- Saddle Lake Condominiums
- #156** Order Calling Public Hearing- Darren Development Corp- Lateral Water Main- Riverhead Water District
- #157** Order Calling Public Hearing- The Meadows at Aquebogue- Lateral Water Main- Riverhead Water District
- #158** Approves Special Permit Petition of Riverhead Center LLC
- #159** Order Calling Public Hearing in the Matter of the Increase and Improvements of the Facilities of Riverhead Water District in the Town of Riverhead, Suffolk County, New York
- #160** Authorizes Town Clerk to Publish and Post Notice of Public Hearing- Special Permit- Sunken Ponds
- #161** Refers Special Permit Petition of Mid Road Properties to the Riverhead Planning Board

- #162** Approves Temporary Sign Permit of Win Properties (Daewoo)
- #163** Approves Phase II-Site Plan of Riverhead Daewoo, Inc.
- #164** Approves Site Plan of Nextel of New York, Inc. d/b/a/ Nextel Communications
- #165** Approves Site Plan of Riverhead Center, LLC
- #166** Declares Lead Agency and Classifies Action of Zone Change for Hidden Meadows at Calverton and refers Petition to the Planning Board
- #167** Refers Special Permit to the Riverhead Planning Board
- #168** Approves Site Plan of Meier Development, LLC
- #169** Approves Site Plan of East End Cardiology
- #170** Approves Site Plan of 755 East Main Street
- #171** Authorizes the Law Firm of Liebowitz & Associates, P.A. in Connection with the Cablevision Franchise Renewal Agreement
- #172** Authorizes the Transfer of Properties to Long Island Partnership Housing Development Fund Company, Inc.
- #173** Refers Change of Zone Petition of Tanger Manufacturers Outlet Center to the Riverhead Planning Board
- #174** Amends Resolution 989 Of 2000- Land Acquisition at Stotzky Park
- #175** Pays Bills
- #176** Authorizes the Town Attorney to Suggest Alternative Sites in Connection with Individualized Residential Alternative for the Developmentally Disabled (Group Home Living)

2/6/01

## Town of Riverhead Community Development Agency

### Resolution # 2

Authorizes Chairman to Execute Contract with AES Long Island, L.L.C.

Member Kent offered the following resolution,

which was seconded by Member Lull :

**WHEREAS**, the Town of Riverhead, through the Community Development Agency (CDA), the Riverhead Development Corporation (RDC) and Grubb & Ellis, has marketed the former Naval Weapons Industrial Reserve Plant / Calverton Enterprise Park for several years while developing a Comprehensive Reuse Plan, and Environmental Impact Statement and achieving transfer of title from the U.S. Navy; and

**WHEREAS**, the RDC, with the representation of New York State and Suffolk County, and CDA, over several years and four Town Boards, have apolitically focused on the achievement of the following goals as set forth in the Comprehensive Reuse Plan:

1. Job creation;
2. Increase in tax base and property tax revenues to the Town of Riverhead, Riverhead Central School District and Suffolk County; and
3. Quality of life preservation; and

**WHEREAS**, the Town of Riverhead has equally respected the sensitive environmental issues presented by the site and its surroundings in its reuse planning, SEQRA compliance and evaluation of purchase and lease proposals; and

**WHEREAS**, in balancing the economic development objectives stipulated by the U.S. Congress in Public Law 103-c337 and the goals and priorities identified by the community in the Reuse planning process, the RDC and CDA have determined that the proposal made by AES Long Island, L.L.C. will generate a positive, balanced impact to the Town of Riverhead and the region; and

**WHEREAS**, the acquisition of between 50 to 75 acres of real property, as depicted on Schedule A, for \$100,000 per acre cash at closing and the subsequent tax payments, as well as the potential for energy costs savings, will provide a benefit to the Town of Riverhead and its residents; and

**THEREFORE, BE IT RESOLVED**, that the CDA hereby authorizes the chairman to execute a contract, substantially in the form on file with the Town Clerk dated February 5, 2001 with AES Long Island, L.L.C.

**AND BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Harry Davitian, AES Long Island, L.L.C. and Community Development Agency Director Andrea Lohneiss.

**The Vote:**

Member Densieski	<u>ABSTAIN</u>
Member Cardinale	<u>YES</u>
Member Kent	<u>YES</u>
Member Lull	<u>YES</u>
Chairman Kozakiewicz	<u>ABSTAIN</u>

**The Resolution is ADOPTED.**

TOWN OF RIVERHEAD

Resolution # 85

AUTHORIZES FIRE MARSHAL TO ATTEND CLASS

COUNCILMAN KENT

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, the department head of the Building Department has requested that the Town of Riverhead Fire Marshal, attend the following training at the Capitol District Fire Investigators Seminar in Colonie, New York;

2001 Winter Seminar NYS Assoc. of Fire Investigators February 24<sup>th</sup> & 25<sup>th</sup>

WHEREAS, attendance at said seminar is an essential part of fire protection/prevention within the Town of Riverhead; and

WHEREAS, The cost of the seminar will not exceed \$225.00 per seminar (\$75.00 tuition, Meals and lodging and other necessary travel expenses will not to exceed \$150.00.) and

WHEREAS, This will fulfill the continuing education requirements for Fire Marshal for 2001, and

NOW, THEREFORE BE IT RESOLVED, that the Fire Marshal be allowed to attend the above said training seminar, and shall remit to the Accounting Department all pertinent receipts and documentation to be reimbursed for expenditures not to exceed the authorized limit; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is authorized to forward a copy of this resolution to the Building Department Administrator, Fire Marshal and Office of Accounting.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

2/6/01

# Adopted

## TOWN OF RIVERHEAD

Resolution # 86

### AUTHORIZES ATTENDENCE AT THE 2001 TRAINING SCHOOL HELD BY THE ASSOCIATION OF TOWNS

COUNCILMAN CARDINALE offered the following resolution, was seconded by  
COUNCILMAN LULL:

**WHEREAS**, the Association of Towns is hosting their 2001 Training School at the Hilton Hotel, New York City, on February 18<sup>th</sup> through 21<sup>st</sup>, 2001; and

**WHEREAS**, it is the desire of Robert Kozakiewicz, Supervisor; Councilman Phil Cardinale; Diane Stuke, Receiver of Taxes; Bruce Stuke, Member, Zoning Board of Appeals; Richard Hanley, Planning Director and Dale Young, Justice Court Clerk to attend such course.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby authorizes the aforementioned individuals to attend the Association of Towns 2001 Training School to be held at the Hilton Hotel, New York City on February 18<sup>th</sup> through 21<sup>st</sup>, 2001; and be it further

**RESOLVED**, that all related expenses incurred by the employees will be reimbursed upon proper submission of receipts; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Robert Kozakiewicz, Supervisor; Councilman Phil Cardinale; Diane Stuke, Receiver of Taxes; Bruce Stuke, Member, Zoning Board of Appeals; Richard Hanley, Planning Director; Dale Young, Justice Court Clerk; the Office of the Town Attorney and the Office of Accounting.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

**THE RESOLUTION WAS**  **WAS NOT**

**THEREUPON DULY ADOPTED**

# Adopted

02/06/01

## TOWN OF RIVERHEAD

Resolution # 87

### SEMINAR. AUTHORIZES ELECTRICAL INSPECTOR TO ATTEND

COUNCILMAN DENSIESKI offered the following resolution, which was seconded by COUNCILMAN CARDINALE.

**WHEREAS;** the Department Head of the Building Department has requested that the Town of Riverhead Electrical Inspector attend the following training:

National Electrical Code Seminar – 3/27/01-3/30/01 Farmington, Ct

**WHEREAS,** attendance at said seminar is an essential part of on-going mandatory in-service training; and

**WHEREAS,** the cost of the seminar is \$790.00, and out-of-pocket expenses will be reimbursed by the Town of Riverhead upon submission of bills to the Accounting Department.

**NOW, THEREFORE, BE IT RESOLVED,** that the Electrical Inspector be allowed to attend the above seminar and shall remit to the Accounting Department all pertinent documentation to be reimbursed for expenses; and

**BE IT FURTHER RESOLVED,** that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Building Department Administrator; the Electrical Inspector and the Office of Accounting.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

FEBRUARY 6, 2001

# Adopted

## TOWN OF RIVERHEAD

Resolution # 88

### AUTHORIZES ATTENDANCE AT THE NYS GOVERNMENT FINANCE OFFICERS' ASSOCIATION 2001 ANNUAL CONFERENCE

**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution ,

which was seconded by **COUNCILMAN LULL** \_\_\_\_\_

**BE IT, RESOLVED**, that the Town Board hereby authorizes the attendance of the Financial Administrator at the NYS Government Finance Officers' Association, Inc. 2001 Annual Conference to be held in Albany, New York on March 28-30, 2001; and

**BE IT FURTHER, RESOLVED**, expenses for the conference, travel, room and board will be reimbursed upon proper submission of receipts; and

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

#### THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

FEBRUARY 6, 2001

**Adopted**

TOWN OF RIVERHEAD

Resolution # 89

WATER EXT. #54 TWOMEY AVE

BUDGET ADJUSTMENT

COUNCILMAN CARDINALE offered the following resolution ,  
which was seconded by COUNCILMAN DENSIESKI

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

406.083200.543315.30060      LEGAL EXPENSE      FROM: \$3,200.

406.083200.543501.30060      ENGINEERING EXPENSE      TO: \$3,200.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

# Adopted

FEBRUARY 6, 2001

TOWN OF RIVERHEAD

Resolution # 90

WATER WELL 4-2 IMPROVEMENT

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN CARDINALE

offered the following resolution ,

which was seconded by

COUNCILMAN DENSIESKI

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

406.083200.543315.30056

LEGAL EXPENSE

FROM:

\$750.

406.083200.543501.30056 ENGINEERING EXPENSE

TO:  
\$750.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

FEBRUARY 6, 2001

**Adopted**

TOWN OF RIVERHEAD

Resolution # 91

WATER EXT. #41B NORTHSIDE ESTATES

BUDGET ADJUSTMENT

COUNCILMAN CARDINALE offered the following resolution ,

which was seconded by COUNCILMAN DENSIESKI

**BE IT RESOLVED**, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

		<b>FROM:</b>
406.083200.543315.30041	LEGAL EXPENSE	\$900.
6.083200.547900.30041	CONTINGENCY ACCOUNT.	10,000.
		<b>TO:</b>
406.083200.523002.30041	CONSTRUCTION OF WATER MAINS	\$8,700.
406.083200.543501.30041	ENGINEERING EXPENSE	2,200.

THE VOTE

Cardinale  Yes  No      Densieski  Yes  No

Kent  Yes  No      Lull  Yes  No

Kozakiewicz  Yes  No

FEBRUARY 6, 2001

TOWN OF RIVERHEAD

Adopted

Resolution # 92

HUBBARD ESTATES WATER EXT.

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN CARDINALE offered the following resolution ,  
which was seconded by COUNCILMAN DENSIESKI

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

406.083200.547900.60054	CONTINGENCY ACCOUNT	FROM:	\$1,600.
406.083200.543501.60054	ENGINEERING EXPENSE	TO:	\$1,600.

THE VOTE

Cardinale  Yes  No      Densieski  Yes  No  
 Kent  Yes  No      Lull  Yes  No  
 Kozakiewicz  Yes  No

FEBRUARY 6, 2001

TOWN OF RIVERHEAD

Adopted

Resolution # 93

GRANGEBEL PARK BULKHEADING & FOOT BRIDGE

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN DENSIESKI offered the following resolution ,  
which was seconded by COUNCILMAN LULL

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

	<b>FROM:</b>
406.095031.481900.40086 Transfer from Park & Rec. Fund	\$100,000.
406.071100.492000.40086 NYS Aid	100,000.

	<b>TO:</b>
406.071100.523018.40086 CONSTRUCTION	\$190,000.
406.071100.543505.40086 ENGINEERING	10,000.

THE VOTE

Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Densieski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kent <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

# Adopted

TOWN OF RIVERHEAD

ANIMAL SHELTER DONATION FUND

BUDGET ADJUSTMENT

RESOLUTION # 94

COUNCILMAN LULL

offered the following resolution,

which was seconded by

COUNCILMAN KENT

**BE IT RESOLVED**, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

028.014100.471000 DEER FEEDING GIFT & DONATION

**FROM:**

\$1,000.

028.035100.542200 DEER FEEDING FOOD SUPPLIES

**TO:**

\$1,000.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

FEBRUARY 6, 2001

TOWN OF RIVERHEAD

Resolution # 95

WADING WOODS CONDO WATER PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KENT offered the following resolution ,  
which was seconded by COUNCILMAN DENSIESKI

**BE IT RESOLVED**, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.092705.421050.60013	DEVELOPER FEES	<b>FROM:</b> \$116,900.
406.083200.523002.60013	CONSTRUCTION OF WATER MAINS	<b>TO:</b> \$93,100.
406.083200.543501.60013	ENGINEERING EXPENSE	13,600.
406.083200.543315.60013	LEGAL EXPENSE	4,000.
406.083200.547900.60013	CONTINGENCY EXPENSE	6,200.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

FEBRUARY 6, 2001

TOWN OF RIVERHEAD

Adopted

Resolution # 96

247 OVERLOOK DRIVE CHAPTER 54 PROJECT

BUDGET ADOPTION

COUNCILMAN KENT offered the following resolution ,  
which was seconded by COUNCILMAN LULL

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

406.010100.411000.41026 REAL PROPERTY TAXES FROM: \$1,435.

406.086660.523021.41026 DEMO OF REAL PROPERTY TO: \$1,435.

THE VOTE

Cardinale  Yes  No      Densieski  Yes  No  
Kent  Yes  No      Lull  Yes  No  
Kozakiewick  Yes  No *Abstain*

FEBRUARY 6, 2001

TOWN OF RIVERHEAD

Adopted

Resolution # 97

HIGHWAY MAINTENANCE FACILITY ROOF REPLACEMENT

BUDGET ADOPTION

COUNCILMAN LULL

offered the following resolution ,

which was seconded by

COUNCILMAN CARDINALE

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

406.095731.494200.40086 SERIAL BONDS

**FROM:**  
\$135,000.

**TO:**  
406.051120.523025.40086 CONSTRUCTION-ROOF REPLACEMENT \$125,000.  
406.051120.547900.40086 CONTINGENCY 10,000.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 98

Adopted

COUNCILMAN LULL

offered the following resolution ,

which was seconded by COUNCILMAN DENSIESKI

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

001.016230.542500	POLICE/COURT COMPLEX, SUPPLIES & SERVICES	FROM:	\$570.
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001.011100.524000	JUSTICE, EQUIPMENT	TO:	\$570.
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THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

2/6/01

TOWN OF RIVERHEAD

Adopted

Resolution # 99

ACCEPTS THE RETIREMENT OF CHARLES DOWNS  
IN THE HIGHWAY DEPARTMENT

COUNCILMAN KENT offered the following  
resolution, which was seconded by COUNCILMAN LULL

WHEREAS, the Town has received a letter of resignation from Charles Downs advising of his intent to retire effective February 9, 2001.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the retirement of Charles Downs.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Charles Downs, the Highway Department and the Office of Accounting.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

2/6/01

TOWN OF RIVERHEAD

Resolution # 100

**APPOINTS INTERPRETATION CONSULTANT FOR POLICE DEPARTMENT AND JUSTICE COURT**

**COUNCILMAN KENT**

offered the following resolution, was seconded by

**COUNCILMAN DENSIESKI** :

**WHEREAS**, the Town, in connection with its municipal operations, requires services consisting of the following: Language Translation; and

**WHEREAS**, Roxana Cruz, Contractor, is willing to provide the following services to the Town:

Description of Services: Language Translation – Spanish  
Date(s) and Hours of Service: On – call, Flexible

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Supervisor is hereby authorized to execute the Agreement in connection with interpreter services of the aforementioned individual; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Police Chief Joseph Grattan; Justice Richard Ehlers; Justice Allen Smith; the Office of Accounting and the Town Attorney’s Office.

**THE VOTE**  
Densieski ✓ Yes \_\_\_ No \_\_\_ Cardinale ✓ Yes \_\_\_ No \_\_\_  
Kent ✓ Yes \_\_\_ No \_\_\_ Lull ✓ Yes \_\_\_ No \_\_\_  
Kozakewicz ✓ Yes \_\_\_ No \_\_\_  
**THE RESOLUTION WAS**  **WAS NOT**   
**THEREUPON DULY ADOPTED**

## AGREEMENT

BETWEEN; **THE TOWN OF RIVERHEAD**, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "**TOWN**" and **ROXANA CRUZ**, residing at 1220 Youngs Avenue, Apartment #1, Southold, New York, 11971, hereinafter referred to as "**CONTRACTOR**".

### WITNESSETH

**WHEREAS**, the Town, in connection with its municipal operations, requires services consisting of the following: Language Translation; and

**WHEREAS**, the contractor is willing to provide the following services to the Town:

Description of services:	Language Translation – Spanish
Date(s) and Hours of Services:	On-call, Flexible

**IT IS HEREBY AGREED**, by the Town and Contractor as follows:

1. That Contractor shall provide and fully perform to the Town's satisfaction the aforementioned services to the Town on the date(s) and times(s) stated above.
2. In return for Contractor's services, the Town shall pay Contractor as follows: The sum of Fifty (\$50.) Dollars for the first (1<sup>st</sup>) hour of service and Thirty-Five (\$35.) Dollars for each hour, or part thereof, thereafter. That sum shall be payable after the Contractor performs the services described for the Town and after contractor has filed with the Town of Riverhead, vouchers and any other documents reasonably required for payment.
3. The terms of this agreement shall be from January 1, 2001 to December 31, 2001.

Dated: Riverhead, New York  
February , 2001

### TOWN OF RIVERHEAD

By: \_\_\_\_\_  
ROBERT F. KOZAKIEWICZ  
Town Supervisor

### CONTRACTOR

By: \_\_\_\_\_  
ROXANA CRUZ

2/6/01

**Adopted**

TOWN OF RIVERHEAD

Resolution # 101

APPOINTS INTERPRETATION CONSULTANT FOR POLICE DEPARTMENT AND JUSTICE COURT

**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution, was seconded by

**COUNCILMAN DENSIESKI** :

WHEREAS, the Town, in connection with its municipal operations, requires services consisting of the following: Language Translation; and

WHEREAS, Arthur Garay, Contractor, is willing to provide the following services to the Town:

Description of Services: Language Translation – Spanish  
Date(s) and Hours of Service: On – call, Flexible

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute the Agreement in connection with interpreter services of the aforementioned individual; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Police Chief Joseph Grattan; Justice Richard Ehlers; Justice Allen Smith; the Office of Accounting and the Town Attorney's Office.

**THE VOTE**  
Densieski  Yes \_\_\_ No \_\_\_ Cardinale  Yes \_\_\_ No \_\_\_  
Kent \_\_\_ Yes \_\_\_ No \_\_\_ Luit  Yes \_\_\_ No \_\_\_  
Kozakiewicz  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

## AGREEMENT

BETWEEN, **THE TOWN OF RIVERHEAD**, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "**TOWN**" and **ARTHUR GARAY**, residing at 309 Fanning Boulevard, #8, Riverhead, New York, 11901, hereinafter referred to as "**CONTRACTOR**".

### WITNESSETH

**WHEREAS**, the Town, in connection with its municipal operations, requires services consisting of the following: Language Translation; and

**WHEREAS**, the contractor is willing to provide the following services to the Town:

Description of services:	Language Translation – Spanish
Date(s) and Hours of Services:	On-call, Flexible

**IT IS HEREBY AGREED**, by the Town and Contractor as follows:

1. That Contractor shall provide and fully perform to the Town's satisfaction the aforementioned services to the Town on the date(s) and times(s) stated above.
2. In return for Contractor's services, the Town shall pay Contractor as follows: The sum of Fifty (\$50.) Dollars for the first (1<sup>st</sup>) hour of service and Thirty-Five (\$35.) Dollars for each hour, or part thereof, thereafter. That sum shall be payable after the Contractor performs the services described for the Town and after contractor has filed with the Town of Riverhead, vouchers and any other documents reasonably required for payment.
3. The terms of this agreement shall be from January 1, 2001 to December 31, 2001.

Dated: Riverhead, New York  
February , 2001

**TOWN OF RIVERHEAD**

By: \_\_\_\_\_  
ROBERT F. KOZAKIEWICZ  
Town Supervisor

**CONTRACTOR**

By: \_\_\_\_\_  
ARTHUR GARAY

2/6/01

TOWN OF RIVERHEAD

Adopted

Resolution # 102

RATIFIES APPOINTMENT OF A RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

**RESOLVED**, that Margaret Kozma is hereby appointed to serve as a Recreation Aide with the working title of Exercise Instructor, January 16, 2001 to be paid at the rate of \$25.00 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**

Densleski  Yes \_\_\_ No    Cardinale  Yes \_\_\_ No  
 Kent  Yes \_\_\_ No    Lull  Yes \_\_\_ No  
 Kozakiewicz  Yes \_\_\_ No

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY ADOPTED

2/6/01

# Adopted

## TOWN OF RIVERHEAD

Resolution # 103

### RATIFIES APPOINTMENT OF A RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution,

which was seconded by \_\_\_\_\_

**COUNCILMAN LULL**

**RESOLVED**, that Shirley Darling is hereby appointed to serve as a Recreation Aide with the working title of Tennis Instructor, January 25, 2001 to be paid at the rate of \$25.00 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**

Densleski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

**THE RESOLUTION WAS  WAS NOT**

**THEREUPON DULY ADOPTED**

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 104

APPOINTS A BUS DRIVER  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

**RESOLVED**, that Robert Fox is hereby appointed to serve as a Bus Driver, effective February 10, 2001 to be paid at the rate of \$10.90 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and
2. Subject to the approval of the Suffolk County Department of Civil Service and possession of a clean valid, CDL License

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

**THE RESOLUTION WAS    WAS NOT**

**THEREUPON DULY ADOPTED**

2/6/01

**Adopted**

**TOWN OF RIVERHEAD**

Resolution # 105

**APPOINTS A BUS DRIVER  
TO THE RIVERHEAD RECREATION DEPARTMENT**

**COUNCILMAN KENT** \_\_\_\_\_ offered the following resolution,

which was seconded by **COUNCILMAN LULL** \_\_\_\_\_

**RESOLVED**, that Michael Slovensky is hereby appointed to serve as a Bus Driver, effective February 10, 2001 to be paid at the rate of \$10.90 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date; and
2. Subject to the approval of the Suffolk County Department of Civil Service and possession of a clean valid, CDL License

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

**THE RESOLUTION WAS  WAS NOT**

**THEREUPON DULY ADOPTED**

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 106

APPOINTS A BUS DRIVER  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,  
which was seconded by COUNCILMAN LULL

**RESOLVED**, that Donald Acuri is hereby appointed to serve as a Bus Driver, effective February 10, 2001 to be paid at the rate of \$10.90 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and
2. Subject to the approval of the Suffolk County Department of Civil Service and possession of a clean valid, CDL License

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**

Densleski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

2/6/01

TOWN OF RIVERHEAD

Adopted

Resolution # 107

APPOINTS A BUS DRIVER  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

**RESOLVED**, that Ernest Mosley is hereby appointed to serve as a Bus Driver, effective February 10, 2001 to be paid at the rate of \$10.90 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and
2. Subject to the approval of the Suffolk County Department of Civil Service and possession of a clean valid, CDL License

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 108

APPOINTS A BUS DRIVER  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

**RESOLVED**, that Walton Orth is hereby appointed to serve as a Bus Driver, effective February 10, 2001 to be paid at the rate of \$10.90 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and
2. Subject to the approval of the Suffolk County Department of Civil Service and possession of a clean valid, CDL License

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**

Densleski  Yes  No    Cardinale  Yes  No  
 Kent  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY ADOPTED

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 109

RATIFIES APPOINTMENT OF A RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

**RESOLVED**, that Alexander Stewart is hereby appointed to serve as a Recreation Aide, Effective January 1, 2001 to be paid at the rate of \$9.08 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**  
Densieski  Yes  No    Cardinale  Yes  No  
Kent  Yes  No    Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

Adopted

2/6/01

TOWN OF RIVERHEAD

Resolution # 110

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

**RESOLVED**, that Mel Eckstein is hereby appointed to the position of a Recreation Aide with the working title of Dance Instructor, effective, April 1, 2001 to be paid at the rate of \$30.00 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**  
Densieski  Yes  No    Cardinalo  Yes  No  
Kent  Yes  No    Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

Adopted

2/6/01

TOWN OF RIVERHEAD

Resolution # 111

APPOINTS RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

RESOLVED, that Jeanette Friscia is hereby appointed to the position of a Recreation Aide with the working title of Dog Obedience Instructor, effective, April 1, 2001 to be paid at the rate of \$35.00 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE
Densleski Yes No Cardinale Yes No
Kent Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS X WAS NOT
THEREUPON DULY ADOPTED

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 112

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

**RESOLVED**, that Donna Graham is hereby appointed to the position of a Recreation Aide with the working title of Self Defense Instructor, effective, February 28, 2001 to be paid at the rate of \$25:00 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densieski  Yes \_\_\_ No \_\_\_ Cardinal  Yes \_\_\_ No \_\_\_

Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_

Kozakiewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ADOPTED

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 113

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

**RESOLVED**, that Elizabeth Max is hereby appointed to the position of a Recreation Aide with the working title of Exercise Instructor, effective, April 1, 2001 to be paid at the rate of \$35.00 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No  
 Kent  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY ADOPTED

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 114

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

**RESOLVED**, that Dorothy Needham is hereby appointed to the position of a Recreation Aide with the working title of Dance Instructor, effective, March 1, 2001 to be paid at the rate of \$35.00 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**

Densieski  Yes \_\_\_ No \_\_\_ Cardinale  Yes \_\_\_ No \_\_\_  
Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Kozakewicz  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

Adopted

2/6/01

TOWN OF RIVERHEAD

Resolution # 115

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,  
which was seconded by COUNCILMAN LULL

**RESOLVED**, that Maryeta Cooper-Upshur is hereby appointed to the position of a Recreation Aide with the working title of Baton Instructor, effective, April 1, 2001 to be paid at the rate of \$20.00 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**  
Densieski  Yes \_\_\_ No \_\_\_ Cardinale  Yes \_\_\_ No \_\_\_  
Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Kozakiewicz  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 116

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,  
which was seconded by COUNCILMAN LULL

**RESOLVED**, that Debra Hennenlotter is hereby appointed to the position of a Recreation Aide with the working title of Lifeguard Training Instructor, effective, March 1, 2001 to be paid at the rate of \$20.00 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**  
Densieski  Yes  No    Cardinale  Yes  No  
Kent  Yes  No    Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 117

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,  
which was seconded by COUNCILMAN LULL

**RESOLVED**, that David Troge is hereby appointed to the position of a Recreation Aide with the working title of Stain Glass Instructor, effective, April 1, 2001 to be paid at the rate of \$35.00 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**  
Densleski  Yes \_\_\_ No \_\_\_ Cardinals  Yes \_\_\_ No \_\_\_  
Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Kozakiewicz \_\_\_ Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

Adopted

2/6/01

TOWN OF RIVERHEAD

Resolution # 118

APPOINTS RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

RESOLVED, that John Nicolellis is hereby appointed to the position of a Recreation Aide with the working title of Canoe/ Kayak Instructor, effective, April 1, 2001 to be paid at the rate of \$20.00 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE
Densieski Yes No Cardinale Yes No
Kent Yes No Lull Yes No
Kozakewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

2/6/01

# Adopted

## TOWN OF RIVERHEAD

Resolution # 119

### APPOINTS RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

**RESOLVED**, that Sharon Truland is hereby appointed to the position of a Recreation Aide with the working title of Softball Instructor, effective, March 1, 2001 to and including, May 31, 2001 to be paid at the rate of \$12.50 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**

Densieski  Yes \_\_\_ No \_\_\_    Cardinale  Yes \_\_\_ No \_\_\_  
 Kent  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
 Kozakiewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY ADOPTED

2/6/01

TOWN OF RIVERHEAD

Adopted

Resolution # 120

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,  
which was seconded by COUNCILMAN LULL

**RESOLVED**, that Linda Walters is hereby appointed to the position of a Recreation Aide with the working title of Softball Instructor, effective, March 1, 2001 to and including, May 31, 2001 to be paid at the rate of \$12.50 per hour, and to serve at the pleasure of the Town Board; and

**BE IT FURTHER, RESOLVED**, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

**THE VOTE**  
Densieski  Yes  No    Cardinale  Yes  No  
Kent  Yes  No    Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution # 121

APPOINTS PART TIME DRIVER/MESSENGER

COUNCILMAN LULL offered the following resolution, which was seconded by COUNCILMAN CARDINALE

**WHEREAS**, There is a vacancy for the position of part-time Driver/Messenger, and

**WHEREAS**, this position was duly posted and advertised, and

**WHEREAS**, the Personnel Committee has conducted interviews and have recommended that Richard Stiegler be appointed to said position.

**NOW, THEREFORE, BE IT RESOLVED**, that Richard Stiegler is hereby appointed to the part time position of Driver/ Messenger at the hourly rate of \$8.6023 effective 02/13/01.

**BE IT FURTHER RESOLVED**, that as a condition of employment in this title the employee must maintain a clean, valid, NYS Commercial Drivers License.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Richard Stiegler, the Supervisor's office and the office of Accounting.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

February 6, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 122

PROMOTION TO C. E. O.

COUNCILMAN DENSIESKI offered the following resolution, which was seconded by COUNCILMAN KENT

**WHEREAS**, the Highway Department has recommended that the position of C. E. O. be created, and

**WHEREAS**, it is the recommendation of the Personnel Committee that Walter O'Kula currently a H. E. O. be promoted to this position.

**NOW, THEREFORE, BE IT RESOLVED**, that Walter O'Kula is hereby promoted to the position of C. E. O. effective 02/12/01, Group 9 Step 15 of the Operational & Technical Salary Schedule.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Walter O'Kula, the Highway Department and the Office of Accounting.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

February 6, 2001

**Adopted**

## TOWN OF RIVERHEAD

Resolution # 123PROMOTION TO C. E. O.

COUNCILMAN LULL offered the following  
 resolution, which was seconded by COUNCILMAN DENSIESKI

**WHEREAS**, the Highway Department has recommended that the position of C. E. O. be created, and

**WHEREAS**, it is the recommendation of the Personnel Committee that Ben Miller currently a H. E. O. be promoted to this position.

**NOW, THEREFORE, BE IT RESOLVED**, that Ben Miller is hereby promoted to the position of C. E. O. effective 02/12/01, Group 9 Step 8 of the Operational & Technical Salary Schedule.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Ben Miller, the Highway Department and the Office of Accounting.

## THE VOTE

Cardinale  Yes  NoDensieski  Yes  NoKent  Yes  NoLull  Yes  NoKozakiewicz  Yes  No

February 6, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 124

PROMOTION TO C. E. O.

COUNCILMAN CARDINALE offered the following resolution, which was seconded by COUNCILMAN LULL

**WHEREAS**, the Highway Department has recommended that the position of C. E. O. be created, and

**WHEREAS**, it is the recommendation of the Personnel Committee that William Devos currently a H. E. O. be promoted to this position.

**NOW, THEREFORE, BE IT RESOLVED**, that William Devos is hereby promoted to the position of C. E. O. effective 02/12/01, Group 9 Step 8 of the Operational & Technical Salary Schedule.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to William Devos, the Highway Department and the Office of Accounting.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

TOWN OF RIVERHEAD

Resolution # 125

AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE DISPOSAL" OF THE RIVERHEAD TOWN CODE (43 KAY ROAD)

COUNCILMAN KENT

offered the following resolution,

which was seconded by

COUNCILMAN LULL

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

WHEREAS, property located at 43 Kay Road, Calverton, New York also known as Suffolk County Tax Map Number 0600-115.01-01-050.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish and debris and the cutting of the grass at SUBJECT property.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Anne Joslin , 427 E 89th St Apt 4l, New York, New York 10128, by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2E., all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Anne Joslin , 427 E 89th St Apt 4l, New York, New York 10128; the Building Department, Kenneth Testa, P.E. and the Office of the Town Attorney.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

Adopted

TOWN OF RIVERHEAD

Resolution # 126

AUTHORIZES THE RELEASE OF PERFORMANCE BOND FOR SOUTHERN INTERIORS / FASHION BUG

COUNCILMAN CARDINALE offered the following resolution,

which was seconded by COUNCILMAN LULL

WHEREAS, Fashion Bug posted a performance bond, cash, in the sum of Five Hundred Dollars (\$500) pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction and Certificate of Occupancy #15574 dated November 9, 2000 has been issued for said construction .

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the performance bond in the sum of Five Hundred Dollars (\$500) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Southern Interiors, 12970 NC Highway 8, Lexington, N.C. 27292, the Building Department; the Accounting Department, the Town Clerk and the Town Attorney's Office.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Adopted

Resolution # 127

AUTHORIZES THE RELEASE OF PERFORMANCE BOND FOR JOHN B. TANDY (REPUBLIC ABSTRACT)

COUNCILMAN KENT

\_\_\_\_\_ offered the following resolution, which was seconded by COUNCILMAN DENSIESKI.

**WHEREAS**, John B. Tandy posted a 5% Performance Bond in the form of a check in the sum of One Thousand Four Hundred Dollars (\$1,400.00) pursuant to Section 108-133.(l) of the Riverhead Town Code; and

**WHEREAS**, Sharon E. Klos, Building Permits Coordinator, did inspect and issue Certificate Of Occupancy #15608 for building permit #ZB22219 and the Planning Department did make an on-site inspection & found compliance with Site Plan;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby authorizes the release of the Performance Bond in the amount of One Thousand Four Hundred Dollars (\$1,400.00). And be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Building Department; John B. Tandy, P.O. Box 1727, Riverhead, New York 11901, the Planning Department and the Town Attorney.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Kall  Yes  No

Kozakiewicz  Yes  No

**THE RESOLUTION WAS  WAS NOT**

**THEREUPON DULY ADOPTED**

Adopted

02/06/01

TOWN OF RIVERHEAD

Resolution # 128

AUTHORIZES THE RELEASE OF PERFORMANCE BOND FOR STEPHEN WIRTH dba THE LITTLE GUPPY.

COUNCILMAN DENSIESKI offered the following resolution, which was seconded by COUNCILMAN CARDINALE

WHEREAS, Stephen Wirth posted a 5% Performance Bond in the form of a check in the sum of One Hundred Ninety Dollars (\$190.00) pursuant to Section 108-133.(l) of the Riverhead Town Code;

WHEREAS, Sharon E. Klos, Building Permits Coordinator has made all inspections of construction and issued Certificate of Occupancy #15699 on January 12, 2001.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the Performance Bond in the amount of One Hundred Ninety Dollars (\$190.00). And be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Building Department; Stephen Wirth, 34 Baiting Hollow Lane, Calverton, New York 11933; the Planning Department and the Town Attorney.

THE VOTE
Densieski Yes No Cardinale Yes No
Kent Yes No Wall Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS X WAS NOT
THEREUPON DULY ADOPTED

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 129

**AUTHORIZES THE SUPERVISOR TO EXECUTE NECESSARY STIPULATIONS AND/OR RELEASES IN CONNECTION WITH "MANOR LANE ESTATES"**

COUNCILMAN KENT offered the following resolution, was seconded by

COUNCILMAN LULL :

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the County of Suffolk, known as "Manor Lane Estates", Hamlet of Jamesport, Town of Riverhead, New York, filed on November 26, 1990 as File Map #9024; and

WHEREAS, a performance bond in the original amount of \$111,000.00 was posted by Joseph Fuchs for improvements for roads and drainage in the aforementioned subdivision; and

WHEREAS, the performance bond was thereafter reduced to \$60,000.00; and

WHEREAS, pursuant to Resolution #550, adopted by the Riverhead Town Board on September 15, 1992, said performance bond was further reduced to \$30,000.00; and

WHEREAS, sometime in 1995, Joseph Fuchs (Ramno Properties) sold the 10 lots in the "Manor Lane Estates" subdivision to East Isle Custom Builders, Inc., whom assumed certain obligations under the performance bond which was previously posted by the original developer, Joseph Fuchs; and

WHEREAS, the improvements remain uncompleted in the aforementioned subdivision; and

WHEREAS, by letter dated January 12, 2001, Marvin F. Milich, attorney for East Isle Custom Builders, Inc., has offered a settlement to complete the improvements in the "Manor Lane Estates" subdivision.

**NOW THEREFORE BE IT HEREBY RESOLVED**, the Town Board of the Town of Riverhead hereby accepts the offer of \$21,500.00 to ensure the completion of the road and drainage improvements in the aforementioned subdivision; and be it further

**RESOLVED**, that the Town Board authorizes the Supervisor to execute the necessary stipulations and/or releases and directs the Town Attorney to procure the execution thereof and process any additional paperwork necessary to complete the settlement action; and be it further

**THE VOTE**

Densieski  Yes \_\_\_ No Cardinal  Yes \_\_\_ No  
 Kent  Yes \_\_\_ No Lull  Yes \_\_\_ No  
 Kozakiewicz  Yes \_\_\_ No

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ADOPTED

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Marvin F. Milich, Esq., Attorney for East Isle Custom Builders, Inc., 400 Corporate Plaza, Islandia, New York, 11722; Joseph Fuchs, P.O. Box 92, Riverhead, New York, 11901; the Riverhead Planning Board, the Riverhead Planning Department; the Riverhead Building Department and the Office of the Town Attorney.

2/06/01

Adopted

TOWN OF RIVERHEAD

Resolution # 130

AUTHORIZES RELEASE OF S.C.N.B. IRREVOCABLE LETTER OF CREDIT OF COUNTRY VUE ESTATES (WATER DISTRICT KEY MONEY)

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN CARDINALE :

WHEREAS, Schembri Enterprises, LLC has posted S.C.N.B. Irrevocable Letter of Credit #980520A in the sum of \$32,500.00 representing Water District Key Money fees in connection with the subdivision entitled, "Country Vue Estates"; and

WHEREAS, by memorandum dated January 24, 2001, Jane Stromski of the Riverhead Planning Department has advised the Water District Key Money fees have been paid for the lots in this subdivision.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of S.C.N.B. Irrevocable Letter of Credit #980520A in the sum of \$32,500.00 representing Water District Key Money fees in connection with the subdivision entitled, "Country Vue Estates"; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Schembri Enterprises, LLC, P.O. Box 762, Wading River, New York, 11792; the Planning Department; the Building Department and the Office of Accounting.

THE VOTE  
Densieski  Yes \_\_\_ No \_\_\_ Cardinale  Yes \_\_\_ No \_\_\_  
Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Kozakiewicz  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

2/06/01

Adopted

TOWN OF RIVERHEAD

Resolution # 131

AUTHORIZES RELEASE OF CERTIFICATE OF DEPOSIT OF COUNTRY VUE ESTATES

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN KENT :

WHEREAS, Schembri Enterprises, LLC has posted S.C.N.B. Certificate of Deposit #291012203 in the sum of \$26,000.00 representing park and recreation fees for the subdivision entitled, "Country Vue Estates"; and

WHEREAS, by memorandum dated January 24, 2001, Jane Stromski of the Riverhead Planning Department has advised the park and recreation fees have been paid for the lots in this subdivision.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of S.C.N.B. Certificate of Deposit #291012203 in the sum of \$26,000.00 representing and park and recreation fees for the subdivision entitled, "Country Vue Estates"; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Schembri Enterprises, LLC, P.O. Box 762, Wading River, New York, 11792; the Planning Department; the Building Department and the Office of Accounting.

**THE VOTE**

Densleski  Yes  No    Cardinale  Yes  No  
 Kent  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution # 132

AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT WITH PECONIC LAND TRUST

COUNCILMAN DENSIESKI offered the following resolution, was seconded by  
COUNCILMAN LULL :

WHEREAS, the Riverhead Town Board has adopted Local Law No. 14 entitled, "Agricultural Lands Preservation" in order to provide for more conservation of prime agricultural soils within the Town of Riverhead; and

WHEREAS, Peconic Land Trust has been retained in previous years to assist the Farmland Preservation Committee in the administration of a purchase of development rights program inherent in the Agricultural Preservation; and

WHEREAS, the Riverhead Town Board desires to continue such contractual relationship with the Peconic Land Trust.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute the attached agreement for professional services with the Peconic Land Trust; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peconic Land Trust, P.O. Box 2088, Southampton, New York, 11969; the Planning Board; the Planning Department; the Farmland Preservation Committee; Jack Hansen, Financial Administrator; the Accounting Department and the Office of the Town Attorney.

THE VOTE  
Densieski  Yes \_\_\_ No \_\_\_ Cardinals  Yes \_\_\_ No \_\_\_  
Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Kozakiewicz  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

**PURCHASE OF DEVELOPMENT RIGHTS PLANNING, ACQUISITION AND  
NEGOTIATION SERVICES AGREEMENT**

THIS AGREEMENT made the \_\_\_\_ day of \_\_\_\_\_, 2001, between the **TOWN OF RIVERHEAD**, a municipal corporation with offices located at 200 Howell Avenue, Riverhead, Suffolk County, New York, 11901, hereinafter referred to as the "Town", and **PECONIC LAND TRUST, INCORPORATED** a non-profit corporation organized and existing under the laws of the State of New York, with a principal place of business at 296 Hampton Road, P.O. Box 2088, Southampton, New York, 11969.

**W I T N E S S E T H :**

Pursuant to §247 of the General Municipal Law and Article 49 of the Environmental Conservation Law of the State of New York, the Town is authorized to acquire interests or rights in real property, for the preservation of open spaces and areas; and

Pursuant to Chapter 14 and Chapter 44 of the Code of the Town of Riverhead, the Town Board has authorized the Farmland Preservation Committee to review potential agricultural parcels from which development rights may be acquired; and

Pursuant to the Community Preservation Project Plan for the Town of Riverhead, the Town Board is authorized to acquire, preserve and protect lands utilized for farming and open space, said lands being an integral component of the unique community character of the Town of Riverhead; and

The Town Board wishes to enter into a cooperative agreement with Peconic Land Trust to identify alternatives to public acquisition and to negotiate directly with landowners to acquire development rights and/or fee title to agricultural lands and lands for open space uses; and

WHEREAS, Peconic Land Trust is a regional non-profit land conservation organization, recognized as a "public charity" under §501(c)(3) of the Internal Revenue Code;

**NOW, THEREFORE, IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:**

1. The Town of Riverhead retains the services of Peconic Land Trust to assist the Town Board and any of its designees (i.e., Farmland preservation Committee, individual town board members, the Community Preservation Fund program administrator, and/or other town staff) for the following purposes:
  - a. Assist with the refinement, formulation and implementation of land preservation strategies;

- b. Provide community outreach services on behalf of the Town of Riverhead which are designed to identify potential sellers of development rights, and fee title to parcels for open space and to educate same as to the range of public and private options available. Such services will include but not be limited to: meetings with prospective sellers of development rights, and fee title to parcels for open space, the Town Board, planning department staff, and the Farmland Preservation Committee;
  - c. Prepare "Conservation Opportunity Plans" for specific conservation projects as authorized by the Town Board or its designee. Coordinate the implementation of such conservation projects with landowners, the Town Board, planning department staff, and the Farmland Preservation Committee;
  - d. Assist with the preparation of applications for matching funding and related farmland preservation assistance as requested;
  - e. Assist with negotiations and agreements with property owners for the sale of development rights and for fee title; in no event however, will Peconic Land Trust negotiate price on behalf of the Town and landowner in the same transaction.
2. Peconic Land Trust shall work cooperatively with the Farmland Preservation Committee, the Town Board, and the Planning Board and/or planning department, to identify and protect the most desirable sites. It is understood that that the Trust's primary role is that of facilitator/mediator between the Town, other governmental and non-governmental agencies, and landowners for the acquisition of development rights and open space consistent with strategies outlined in the Community Preservation Fund Project Plan.
  3. It is the intent of the Town of Riverhead to coordinate and leverage funding for the acquisition of development rights or fee interests wherever possible. Such efforts will require the Trust to coordinate with the State of New York, the County of Suffolk, and other governmental or non-profit entities engaged in land preservation in the town of Riverhead.
  4. It is understood that the Peconic Land Trust may be working on behalf of other landowners or other governmental or non-governmental entities and such arrangements, including any compensation arrangement, will be disclosed to all involved parties on a case by case basis (see also paragraph 1(e) above).
  5. Prior to the commencement of negotiations, the Farmland Preservation Committee, with consent of the Town Board, will identify and prioritize acquisition parcels. The Town Board shall determine the necessity of obtaining any independent reports or appraisals, and shall determine other acquisition costs related to each project in which the Peconic Land Trust is involved. The Town Board will make the final determination regarding acquisition.
  6. Peconic Land Trust shall conduct all activities subject to the approval of the Town Board.

For the purposes of this agreement, negotiations on any particular parcel shall be complete once the Town of Riverhead and the landowner have entered into a formal written agreement prepared by the Town Attorney's office or such other formal written agreement to preserve the parcel.

7. As compensation for such services, the Town will pay Peconic Land Trust a fee based upon Peconic Land Trust's actual time (in accordance with the attached rate schedule) and project expenses (including consultant services related to authorized projects, mileage, postage, telephone, and other relevant out of pocket expenses) upon submission of a purchase order. The invoice and purchase order will be submitted by the Peconic Land Trust on a monthly basis, to be paid by the Town of Riverhead on a monthly basis. Peconic Land Trust shall supply information regarding services performed as may be requested by the Town.

8. The Office of the Town Attorney, subject to Town Board approval, shall be responsible for obtaining any necessary independent appraisals, surveys, title certifications, or other reports necessary to determine the fair market value of the property interests to be acquired and which are otherwise necessary to close title.

9. This Agreement shall commence as of January 1, 2001 and shall expire December 31, 2001, unless terminated pursuant to paragraph 10 hereof.

10. This Agreement may be terminated by either party and for any reason upon thirty (30) days written notice. In the event this agreement is terminated pursuant hereto, Peconic Land Trust shall be compensated for the value of services and expenses actually incurred.

11. This Agreement may be modified only in writing and upon approval by the Town Board pursuant to resolution.

12. This Agreement shall be construed according to the laws of the State of New York.

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto.

TOWN OF RIVERHEAD

PECONIC LAND TRUST

By: \_\_\_\_\_  
Robert F. Kozakiewicz  
Supervisor

By: \_\_\_\_\_  
John V. Halsey  
President

## 2001 Hourly Rates of Peconic Land Trust Staff and Consultants

### Peconic Land Trust, Incorporated

John V. Halsey, President	\$130 / hour
Timothy Caulfield, Vice President	\$ 95 / hour
Hoot Sherman, Marian Sumner, Program Directors	\$ 85 / hour
Project/Program Managers	\$ 65 / hour
Project/Program Assistants	\$ 40 / hour
Administrative Assistants	\$ 30 / hour
Design Manager	\$ 75 / hour
Project/Program Associates	\$ 50 / hour

### Conservation Advisors ( Consultant to Peconic Land trust)

Andrew L. Johnson , Principal	\$175 / hour
Technical Writer/Research	\$ 40 / hour
Draftsman	\$ 50 / hour
CAD Operator I	\$ 90 / hour
CAD Operator II	\$ 75 / hour

# Adopted

February 6, 2001

## TOWN OF RIVERHEAD

Resolution # 133

### RATIFIES THE TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR PART TIME ANIMAL CONTROL OFFICER

Councilman Lull \_\_\_\_\_ offered the following resolution, which was seconded by \_\_\_\_\_ Councilman Kent \_\_\_\_\_.

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the February 1,2001 issue of the New Review.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Accounting Department.

**THE VOTE**

Danielson  Yes  No  
 Kent  Yes  No  
 Lull  Yes  No  
 Kazakiewicz  Yes  No

THE RESOLUTION WAS  YES  NO

THEREUPON declared duty  adopted

**HELP WANTED**

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Part Time Animal Control Officer. The Town requests that all applicants must have experience in the care and feeding of animals and must be available to work weekends. Applications are to be submitted to the Personnel Department, 200 Howell Avenue, Riverhead, NY, between the hours of 8:30am and 4:30pm. Monday through Friday. No applications will be accepted after 4:00pm on Friday, February 9, 2001. The Town of Riverhead does not discriminate on the basis of age, race, color, national origin, sex or handicapped status in the employment or provision of services.

BY ORDER OF:  
THE RIVERHEAD TOWN BOARD  
BARBARA GRATTAN, TOWN CLERK

2/6/01

Adopted

AWARDS BID FOR REMOVAL AND DISPOSAL OF  
GRIT AND SCREEN  
RIVERHEAD SEWER DISTRICT  
RIVERHEAD-SOUTHAMPTON SCAVENGER WASTE DISTRICT

RESOLUTION # 134

Adopted 02/06/01

COUNCILMAN DENSIESKI offered the following resolution  
which was seconded by COUNCILMAN CARDINALE,

WHEREAS, this Town Board did authorize the advertisement for  
bids for the removal and disposal of grit and screen, and

WHEREAS, the Town Clerk was authorized to advertise for such  
bids, and

WHEREAS, all bids received were opened and read aloud on the  
date and time specified, and

WHEREAS, it has been recommended by the Superintendent of the  
Sewer District, that the bids be awarded to Earth Care Comp. of NY,  
Inc., 972 Nicolls Road, Deer Park, NY 11729 at \$93.25 per ton, for  
a three year period,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the removal and disposal of grit  
and screen be and is hereby awarded to Earth Care Comp. of NY,  
Inc. 972 Nicolls Road, Deer Park, NY 11729 at \$93.25 per ton, for  
a three year period, as required by the Superintendent,

and be it further

RESOLVED, that the Town Clerk forwarded certified copies of  
this resolution to Earth Care Comp., Frank Isler, Esq., Southampton  
Town Clerk; and Michael Reichel, be it further

RESOLVED, that the Town clerk is hereby authorized to return  
to all the unsuccessful original bidders their respective bid  
security and it is further

RESOLVED, that upon completion of fully executed contracts and  
the filing of said contract with the Town Clerk, the Town Clerk is  
hereby authorized to release to the successful bidder the bidder's  
bid security.

THE VOTE  
Densieski  Yes \_\_\_ No \_\_\_ Cardinalo  Yes \_\_\_ No \_\_\_  
Kent \_\_\_ Yes \_\_\_ No \_\_\_ Kull  Yes \_\_\_ No \_\_\_  
Kozakiewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ADOPTED

2/6/00

Adopted

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS  
RIVERHEAD WATER DISTRICT  
CONSTRUCTION OF PLANT NO. 12, CONTRACT NO 3,  
ELECTRICAL WORK

RESOLUTION # 135

Adopted 02/06/01

**COUNCILMAN KENT**

COUNCILMAN KENT offered the following resolution which was seconded by COUNCILMAN LULL,

RESOLVED, that the Town Clerk be and is authorized to publish in the February 15, 2001, edition of The News Review and post the attached Notice to Bidders with regard to receiving bids for the construction of plant No. 12, Contract No. 3, electrical work, and be it further,

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Frank Isler, Esq., H2M, and Gary Pendzick.

**THE VOTE**

Densleski  Yes \_\_\_ No \_\_\_    Cardinale  Yes \_\_\_ No \_\_\_  
Kent  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Kozakiewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

The Town Board of Riverhead will receive bids for the Construction of Plant No. 12 for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at *11:15 A.M.*, prevailing time, on *Thursday, March 1, 2001*, at which time and place all bids will be publicly opened and read for PROJECT NO.: RDWD 99-08, CONSTRUCTION OF PLANT No. 12, CONTRACT No. 3 – ELECTRICAL WORK  
Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead  
Town Hall, 200 Howell Avenue  
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.  
575 Broad Hollow Road  
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations on or after February 15, 2001, 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 in good condition within ten (10) days. 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 the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

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

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

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: February 15, 2001

2/6/00

# Adopted

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS  
RIVERHEAD WATER DISTRICT  
CONSTRUCTION OF PLANT NO. 12, CONTRACT NO 2,  
GENERAL CONSTRUCTION AND MECHANICAL WORK

RESOLUTION # 136

Adopted 02/06/01

**COUNCILMAN KENT**

~~COUNCILMAN LULL~~

\_\_\_\_\_ offered the following resolution which was seconded by \_\_\_\_\_, **COUNCILMAN LULL**

RESOLVED, that the Town Clerk be and is authorized to publish in the February 15, 2001, edition of The News Review and post the attached Notice to Bidders with regard to receiving bids for the construction of plant No. 12, Contract No. 2, general construction and mechanical work, and be it further,

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Frank Isler, Esq., H2M, and Gary Pendzick.

**THE VOTE**

Densieski  Yes  No    Cardinalo  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

The Town Board of Riverhead will receive bids for the Construction of Plant No. 12 for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:10 A.M., prevailing time, on *Thursday, March 1, 2001*, at which time and place all bids will be publicly opened and read for PROJECT NO.: RDWD 99-08, CONSTRUCTION OF PLANT No. 12, CONTRACT No. 2 – GENERAL CONSTRUCTION AND MECHANICAL WORK

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead  
Town Hall, 200 Howell Avenue  
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.  
575 Broad Hollow Road  
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations on or after February 15, 2001, 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 in good condition within ten (10) days. 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 the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

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

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

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: February 15, 2001

2/6/00

# Adopted

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS  
RIVERHEAD WATER DISTRICT  
CONSTRUCTION OF PLANT NO. 12, CONTRACT NO 1,  
WELL AND WELL PUMP WORK

RESOLUTION # 137

Adopted 02/06/01

**COUNCILMAN KENT**

COUNCILMAN KENT offered the following resolution which was seconded by COUNCILMAN LULL,

RESOLVED, that the Town Clerk be and is authorized to publish in the February 15, 2001, edition of The News Review and post the attached Notice to Bidders with regard to receiving bids for the construction of plant No. 12, Contract No. 1, well and well pump work, and be it further,

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Frank Isler, Esq., H2M, and Gary Pendzick.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

The Town Board of Riverhead will receive bids for the Construction of Plant No. 12 for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at *11:05 A.M.*, prevailing time, on *Thursday, March 1, 2001*, at which time and place all bids will be publicly opened and read for H2M PROJECT NO.: RDWD 99-08, CONSTRUCTION OF PLANT NO. 12, CONTRACT NO. 1 – WELL & WELL PUMP WORK. Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead  
Town Hall, 200 Howell Avenue  
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.  
575 Broad Hollow Road  
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations on or after February 15, 2001, 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 in good condition within ten (10) days. 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 the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

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

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

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: February 15, 2001

2/6/00

# Adopted

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS  
RIVERHEAD WATER DISTRICT  
SHADE TREE ACRES

RESOLUTION # 138  
Adopted 02/06/01

**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution which was seconded by COUNCILMAN LULL,

RESOLVED, that it is ratified the Town Clerk be and is authorized to publish in the February 1, 2001, edition of The News Review and post the attached Notice to Bidders with regard to receiving bids for the construction of water mains and appurtenances, Shade Tree Acres, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Frank Isler, Esq., H2M, and Gary Pendzick.

**THE VOTE**

Densieski  Yes \_\_\_ No    Cardinals  Yes \_\_\_ No  
 Kent  Yes \_\_\_ No    Lull  Yes \_\_\_ No  
 Kozakiewicz  Yes \_\_\_ No

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY ADOPTED

The Town Board of Riverhead will receive bids for the following contract:

Installation of Water Mains and Appurtenances  
*Project No.: RDWD 00-54 – Shade Tree Acres*

for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until **11:00 AM**, prevailing time, on **Thursday, February 15, 2001**, at which time and place all bids will be publicly opened and read.

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead  
Town Hall, 200 Howell Avenue  
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.  
575 Broad Hollow Road  
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations *on or after February 1, 2001* 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 in good condition within ten (10) days. 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 the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

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

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

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: February 1, 2001  
(revised)



The Town Board of Riverhead will receive bids for the following contract:

Installation of Water Mains and Appurtenances

*Project No.: RDWD 00-55, Extension No. 60 - Equestrian Estates*

for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:00 AM, prevailing time, on **Thursday, March 1, 2001**, at which time and place all bids will be publicly opened and read.

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead  
Town Hall, 200 Howell Avenue  
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.  
575 Broad Hollow Road  
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations *on or after February 15, 2001* 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 in good condition within ten (10) days. 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 the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

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

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

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: February 15, 2001

February 6, 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 140

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS FOR STOTZKY PARK ALL CHILDREN'S PLAYGROUND

Adopted: February 6, 2001

COUNCILMAN DENSIESKI offered the following resolution, which was

seconded by COUNCILMAN KENT.

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders for the Stotzky Park All Children's Playground in the February 15, 2001 issue of the official Town newspaper; 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, P.E. and the Office of Accounting.

BY ORDER OF THE RIVERHEAD TOWN BOARD  
Barbara A. Grattan, Town Clerk

Dated: February 6, 2001

THE VOTE  
Densieski  Yes \_\_\_ No \_\_\_ Cardinale  Yes \_\_\_ No \_\_\_  
Kent \_\_\_ Yes \_\_\_ No \_\_\_ Lull \_\_\_ Yes \_\_\_ No \_\_\_  
Kozakiewicz  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed proposals for the Stotzky Park All Children's Playground, Columbus Avenue, Riverhead, New York will be received by the Town of Riverhead at the Office of the town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, new York until 11:00 am prevailing time on February 26, 2001 at which time and place they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about February 15, 2001, at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

A deposit of \$50.00 will be required for each copy of the Contract Documents. Each proposal must be submitted on the form provided and in a sealed envelope clearly marked "Stotzky Park All Children's Playground".

The Town of Riverhead reserves the right to reject any and all bids.

**BY ORDER OF THE RIVERHEAD TOWN BOARD**  
Barbara A. Grattan, Town Clerk

Dated: February 6, 2001

February 6, 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 141

AUTHORIZATION TO PUBLISH BID FOR CHEMICALS

COUNCILMAN LULL offered the following resolution which was seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **CHEMICALS** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **February 15, 2001** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

**THE VOTE**

Densieski  Yes \_\_\_ No \_\_\_ Cardinalo  Yes \_\_\_ No \_\_\_  
 Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
 Kozakiewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **CHEMICALS** 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 **11:10 a.m.** on **March 2, 2001.**

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 to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR CHEMICALS.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

February 6, 2001

Adopted<sup>219</sup>

TOWN OF RIVERHEAD

RESOLUTION# 142

AUTHORIZATION TO PUBLISH BID FOR DIESEL FUEL

**COUNCILMAN LULL**

COUNCILMAN LULL offered the following resolution which was seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **DIESEL FUEL** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **February 15, 2001** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No  
 Kent  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **DIESEL FUEL** 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 **11:10 a.m. on March 5, 2001.**

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 **BIDS FOR DIESEL FUEL.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

February 6, 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 143

AUTHORIZATION TO PUBLISH BID FOR PROPANE

**COUNCILMAN LULL**

~~COUNCILMAN BENT~~ offered the following resolution which was seconded by ~~COUNCILMAN LULL~~ **COUNCILMAN CARDINALE**

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of PROPANE for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the February 15, 2001 issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of PROPANE 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 March 5, 2001.

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 BIDS FOR PROPANE.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

February 6, 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 144

AUTHORIZATION TO PUBLISH BID FOR WATER SERVICE MATERIALS

**COUNCILMAN LULL**

\_\_\_\_\_ offered the following resolution which was seconded by \_\_\_\_\_

**COUNCILMAN CARDINALE**

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **WATER SERVICE MATERIALS** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **February 6, 2001** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

**THE VOTE**

Densleski  Yes  No    Cardinale  Yes  No  
 Kent  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of WATER SERVICE MATERIALS 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 March 5, 2001.

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 BIDS FOR WATER SERVICE MATERIALS.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

February 6, 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 145

AUTHORIZATION TO PUBLISH BID FOR ELECTRONICS

**COUNCILMAN LULL**

~~DEPT. MANAGER DENESKI~~ offered the following resolution which was seconded by ~~COUNCILMAN DENESKI~~ **COUNCILMAN CARDINALE**

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **ELECTRONICS** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **February 15, 2001** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

**THE VOTE**

Deneski  Yes  No    Cardinale  Yes  No  
 Kent  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **ELECTRONICS** 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 **March 2, 2001**.

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 **BIDS FOR ELECTRONICS.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

February 6, 2001

**Adopted**

TOWN OF RIVERHEAD

RESOLUTION# 146

AUTHORIZATION TO PUBLISH BID FOR ONE (1) NEW FOUR POST MOBIL  
ELECTRO- HYRAULIC JACK

COUNCILMAN TULL offered the following resolution which was  
seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to  
advertise for sealed bids for the purchase of **ONE (1) NEW FOUR POST MOBIL  
ELECTRO-HYDAULIC JACK** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the  
following public notice in the **February 15, 2001** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward  
a copy of this resolution to the Purchasing Department.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No  
 Kent  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed bids for the purchase of ONE (1) NEW FOUR POST MOBIL ELECTRO-HYDRAULIC JACK for use by the Town of Riverhead Municipal Garage will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, NY, 11901, until 11:15 a.m. on March 2, 2001.

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 to the Town Clerk's Office in a sealed envelope bearing the designation BIDS FOR ONE (1) NEW FOUR POST MOBILE ELECTRO-HYDRAULIC JACK.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

FEBRUARY 6, 2001

229  
**Adopted**

TOWN OF RIVERHEAD

# 147

**AUTHORIZES RATES FOR POLICE ATHLETIC LEAGUE (P.A.L.)  
PROGRAMS REGISTRATION FEES FOR THE YEAR 2001**

COUNCILMAN KENT offered the following resolution,  
which was seconded by COUNCILMAN DENSIESKI

**WHEREAS**, the Town of Riverhead is responsible for setting a fee schedule for P.A. L. Programs; and

**WHEREAS**, those fees are established below for the Year 2001:

Boys 13–15 year old Baseball	\$45.00 (resident)	\$55.00 (non-resident)
Boys 16–17 year old Baseball	\$50.00 (resident)	\$60.00 (non-resident)
Girls 13-15 year old Softball	\$25.00 (resident)	\$35.00 (non-resident)
Soccer Program	\$25.00 (resident)	\$35.00 (non-resident)
Football Program	\$75.00 (resident)	\$85.00 (non-resident)
Cheerleading Program	\$45.00 (resident)	\$55.00 (non-resident)

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the J.A.B. Office and the Office of Accounting.

THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

TOWN OF RIVERHEAD

# 148

AUTHORIZES RATES FOR UMPIRES AND REFEREES FOR POLICE ATHLETIC LEAGUE (P.A.L.) PROGRAMS FOR THE YEAR 2001

~~COUNCILMAN DENSIESKI~~ \_\_\_\_\_ offered the following resolution,  
which was seconded by COUNCILMAN KENT \_\_\_\_\_

**WHEREAS**, the Town of Riverhead is responsible for setting a fee schedule for umpires and referees participating in the Riverhead Police Athletic league; and

**WHEREAS**, those fees are established below for the Year 2001:

PAL Basketball Referees:	
One Referee Per Game	\$40.00 per game
PAL Baseball/Softball Umpires:	
Two Umpire Per Game	\$45.00 per umpire/per game
One Umpire Per Game	\$67.50 for one umpire
PAL Football Referees:	
Two Referees Per Game	\$45.00 per referee/per game
One Referee Per Game	\$67.50 per game
PAL Soccer Referees:	
One Referee Per game	\$30.00 per game

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the J.A.B. Office and the Office of Accounting.

THE VOTE

Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Densieski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kent <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

02/06/01

Adopted

TOWN OF RIVERHEAD

Resolution # 149

TERMINATING TAX EXEMPT STATUS PREVIOUSLY GRANTED PECONIC UNITED METHODIST HOUSING DEVELOPMENT FUND COMPANY PURSUANT TO ARTICLE 11 OF THE NEW YORK STATE PRIVATE HOUSING FINANCE LAW

COUNCILMAN DENSIESKI offered the following resolution, was seconded by COUNCILMAN CARDINALE:

WHEREAS, Article XI of the Private Housing Finance Law of the State of New York entitled "Housing Development Fund Companies" specifically provides through section 577 thereof that the Town Board may grant an exemption from taxation for a Housing Development Fund Company as defined therein; and

WHEREAS, the Town Board granted such an exemption to the Peconic United Methodist Housing Development Fund Company for property located at 588 Middle Road, Riverhead, a/k/a SCTM No. 600-82-2-4.6 by resolution number 183 dated April 15, 1980 and in return the Peconic United Methodist Housing Development Fund Company agreed to make annual payments in lieu of taxes equivalent to 10% of the net shelter rents in accordance with HUD regulations; and

WHEREAS, the Peconic United Methodist Housing Development Fund Company has failed to meet its obligations pursuant to said agreement.

NOW THEREFORE BE IT RESOLVED, the Town Board hereby permanently terminates the exemption granted to the Peconic United Methodist Housing Development Fund Company pursuant Article XI of the Private Housing Finance Law of the State of New York as of the 20001-2001 tax year; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Board of Assessors, and that the Board of Assessors is hereby directed to permanently remove said the exemption from the assessment roll beginning March 1, 2001, taxable status date for the 2001-2002 tax year, and shall immediately advise the property owner thereof by certified mail return receipt requested.

THE VOTE  
Densieski  Yes  No    Cardinale  Yes  No  
Kent  Yes  No    Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 150

ACCEPTS THE OFFER OF DEDICATION OF WATERFRONT PROPERTY OWNED BY JOHN AND FRANCES DIVELLO (DOLPHIN WAY)

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to the acceptance of a donation to the Town of Riverhead of waterfront property located on Dolphin Way, Riverhead, New York, further described as Suffolk County Tax Map #0600-4-1-5 owned by John and Frances; and

WHEREAS, a public hearing was held on the 15th day of August, 2000, at 7:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby accepts the donation of waterfront property located on Dolphin Way, Riverhead, New York, to the Town of Riverhead, further described as Suffolk County Tax Map #0600-4-1-5 owned by John and Frances Divello; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of the resolution to Peconic Land Trust, Attn: Julie Westnofske; the Office of the Supervisor; the Town Attorney's Office, the Assessor's Office and the Tax Receiver's Office.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead hereby accepts the offer of donation of waterfront property located on Dolphin Way, Riverhead, New York, further described as Suffolk County Tax Map #0600-4-1-5, owned by John and Frances Divello, at its regular meeting held on February 6, 2001.

Dated: Riverhead, New York  
February 6, 2001

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on February 6, 2001, at 7:00 o'clock P.M., Prevailing Time.

Suoervisor Kozakiewicz

The meeting was called to order by \_\_\_\_\_, and upon roll being called, the following were

- PRESENT:
- Supervisor Robert F. Kozakiewicz
  - Councilman Edward Densieski
  - Councilman Philip Cardinale
  - Councilman Christopher Kent
  - Councilman James B. Lull
  
  - Town Attorney Dawn Thomas
  - Town Clerk Barbara Grattan

ABSENT:

The following resolution was offered by Councilman COUNCILMAN LULL, who moved its adoption, seconded by Councilman COUNCILMAN DENSIESKI to-wit:

BOND RESOLUTION DATED FEBRUARY 6, 2001.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,500,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF AN ADDITION TO AND THE RECONSTRUCTION OF THE MUNICIPAL GARAGE IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying the cost of the construction of an addition to and the reconstruction of the Municipal Garage, including the purchase and installation of original furnishing, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$1,500,000 serial bonds of the Town of Riverhead, Suffolk County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$1,500,000, and that the plan for the financing thereof is by the issuance of the \$1,500,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 12(a)(1) of paragraph a of

Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller

applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only

if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. Upon this resolution taking effect, the same shall be published in full in *The Times Review*, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

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

<u>Councilman Densieski</u>	VOTING _____
<u>Councilman Cardinale</u>	VOTING _____
<u>Councilman Kent</u>	VOTING _____
<u>Councilman Lull</u>	VOTING _____
<u>Supervisor Kozakiewicz</u>	VOTING _____

The resolution was thereupon declared duly adopted.

\* \* \* \*

**THE VOTE**

Densieski  Yes \_\_\_ No \_\_\_ Cardinale  Yes \_\_\_ No \_\_\_ *abstain*

Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_

Kozakiewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO  
 HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board  
 of said Town, including the resolution contained therein, held on February 6, 2001, with the original  
 thereof on file in my office, and that the same is a true and correct transcript therefrom and of the  
 whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open  
 Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public  
 notice of the time and place of said meeting to be given to the following newspapers and/or other  
 news media as follows:

Newspaper and/or other news media  
 News Review

Date given  
 February 6, 2001

LEGAL NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on February 6, 2001, duly adopted the resolution published herewith subject to a permissive referendum.

Dated: Riverhead, New York  
February 6, 2001

---

Town Clerk

BOND RESOLUTION DATED FEBRUARY 6, 2001.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,500,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF AN ADDITION TO AND THE RECONSTRUCTION OF THE MUNICIPAL GARAGE IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying the cost of the construction of an addition to and the reconstruction of the Municipal Garage, including the purchase and installation of original furnishing, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$1,500,000 serial bonds of the Town of Riverhead, Suffolk County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$1,500,000, and that the plan for the financing thereof is by the issuance of the \$1,500,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 12(a)(1) of paragraph a of

Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller

applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

AFFIDAVIT OF POSTING

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DEPOSE  
AND SAY:

That on the \_\_\_\_ day of \_\_\_\_\_, 2001, I caused to be posted on the official signboard  
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of Adoption  
of a resolution adopted by the Town Board of said Town on the 6th day of February, 2001.

A true and correct copy of such Notice of Adoption is attached hereto.

\_\_\_\_\_

Town Clerk

Sworn to before me this \_\_\_\_ day  
of \_\_\_\_\_, 2001

\_\_\_\_\_  
Notary Public

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 152

ADOPTS A LOCAL LAW TO AMEND CHAPTER 95 ENTITLED "TAXATION" OF THE RIVERHEAD TOWN CODE

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN CARDINALE :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 95, entitled "Taxation" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 16th day of January, 2001 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 95 entitled, "Taxation" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review and to post same on the signboard at Town Hall; and be it further

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

**THE VOTE**

Densleski  Yes \_\_\_ No \_\_\_    Cardinale  Yes \_\_\_ No \_\_\_

Kent  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_

Kozakiewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 95 entitled "Taxation" of the Riverhead Town Code at its regular meeting held on February 6, 2001 as follows:

**Senior Citizens Exemption**

**§95-3. Conditions for exemption.**

- B. The income of the owner or the combined income of the owners of the property must not exceed the sum of ~~\$19,500~~ \$20,500 for the income tax year immediately preceeding the date of making application for exemption.

Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest dividends, rental income, salary or earnings and income from self-employment, but shall not include gifts or inheritances.

Footnote

**Income**

**Percentage of  
Exemptions**

<del>\$19,500</del> <u>\$20,500</u> or less	50%
<del>\$19,501</del> <u>\$20,500</u> to <del>\$20,500</del> <u>\$21,500</u>	45%
<del>\$20,501</del> <u>\$21,501</u> to <del>\$21,500</del> <u>\$22,500</u>	40%
<del>\$21,500</del> <u>\$22,501</u> to <del>\$22,500</del> <u>\$23,500</u>	35%
<del>\$22,500</del> <u>\$23,501</u> to <del>\$23,400</del> <u>\$24,400</u>	30%
<del>\$23,400</del> <u>\$24,401</u> to <del>\$24,300</del> <u>\$25,300</u>	25%
<del>\$24,300</del> <u>\$25,301</u> to <del>\$25,200</del> <u>\$26,200</u>	20%
<del>\$25,200</del> <u>\$26,201</u> to <del>\$26,100</del> <u>\$27,100</u>	15%

<del>\$26,100</del> <u>\$27,101 to</u> <u>\$27,000</u> <u>\$28,000</u>	10%
<del>\$27,000</del> <u>\$28,001 to</u> <u>\$27,900</u> <u>\$28,900</u>	5%

### Exemptions for Persons with Disabilities and Limited Incomes

#### § 95-22. Exemption granted.

Real property owned by one or more persons with disabilities, or real property owned by a husband, wife, or both, or by siblings, at least one of whom has a disability, and whose income, as hereafter defined, is limited by reason of such disability, shall be exempt from taxation by the town to the maximum extent of 50% of the assessed valuation thereof in accordance with the sliding scale set forth below:

Annual Income	Percentage of Assessed Valuation Exempt From Taxation
<del>\$19,500</del> <u>\$20,500</u> or less	50%
<del>\$19,500</del> <u>\$20,500</u> or more but less than <del>\$20,500</del> <u>\$21,500</u>	45%
<del>\$20,501</del> <u>\$21,500</u> or more but less than <del>\$21,500</del> <u>\$22,500</u>	40%
<del>\$21,500</del> <u>\$22,501</u> or more but less than <del>\$22,500</del> <u>\$23,500</u>	35%
<del>\$22,500</del> <u>\$23,501</u> or more but less than <del>\$23,400</del> <u>\$24,400</u>	30%
<del>\$23,400</del> <u>\$24,401</u> or more but less than <del>\$24,300</del> <u>\$25,300</u>	25%
<del>\$24,300</del> <u>\$25,301</u> or more but less than <del>\$25,200</del> <u>\$26,200</u>	20%
<del>\$25,200</del> <u>\$26,201</u> or more but less than <del>\$26,100</del> <u>\$27,100</u>	15%
<del>\$26,100</del> <u>\$27,101</u> or more but less than <del>\$27,000</del> <u>\$28,000</u>	10%

~~\$27,000~~ \$28,001 or more but less than  
~~\$27,900~~ \$28,900

5%

Dated: Riverhead, New York  
February 6, 2001

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD**

**BARBARA GRATTAN, Town Clerk**

2/6/01

# Adopted

## TOWN OF RIVERHEAD

Resolution # 153

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE OF  
PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN  
AMENDMENT OF CHAPTER 101 (VEHICLES & TRAFFIC) OF THE RIVERHEAD  
TOWN CODE**

**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI** \_\_\_\_\_:

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the February 15, 2001 issue of **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

**RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Mark Kwasna, Highway Superintendent; the Riverhead Police Department; the Code Revision Committee and the Office of the Town Attorney.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No  
 Kent  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 20th day of February, 2001 at 7:30 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

**ARTICLE V  
Parking, Standing and Stopping**

**§ 101-10. Parking prohibited.**

The parking of vehicles is hereby prohibited in the locations as follows:

Name of Street	Side	Location
<u>Mill Road</u>	<u>Both</u>	<u>From a point at its intersection with Route 25 in a northerly direction to the intersection of Industrial Boulevard</u>

Dated: Riverhead, New York  
February 6, 2001

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

2/6/01

251  
**Adopted**

TOWN OF RIVERHEAD

ORDER CALLING PUBLIC HEARING  
PLANT IMPROVEMENTS, RIVERHEAD WATER DISTRICT  
OFFICE/CONTROL CENTER  
202-b

RESOLUTION # 154

Adopted: 02/06/01

COUNCILMAN DENSIESKI offered the following resolution  
which was seconded by COUNCILMAN KENT,

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly caused to be prepared a final budget for the renovations of the Riverhead Water District's office/control center located at 1035 Pulaski Street, Riverhead, New York, and

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$44,606 which are outlined in a memo from Superintendent Pendzick dated January 27, 2001, a copy of which is attached, and which funds shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District and shall be borne by the entire District to be paid from existing funds; and

WHEREAS, it is necessary that a public hearing be held on the question of the increase and improvement of the facilities of the entirety of said Riverhead Water District as described above, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on the 20th day of February, 2001, at 7:10 o'clock p.m., prevailing time, on the question of the increase and improvement of the facilities of the Riverhead Water District in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the notice of public hearing to be published in the February 8, 2001 edition of the News Review, the

newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty days before the date designated for the public hearing.

Section 3. The project described in the preambles hereto is hereby determined to be an "unlisted action" under the State Environmental Quality Review Act, the implementation of which, as proposed, will not result in any significant environmental effects.

Section 4. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Riverhead Water District pursuant to Section 202-b of the Town Law. The object of such hearing will be the increase and improvement of the Riverhead Water District regarding the final budget for the renovation of the Riverhead Water District's office/control center located at 1035 Pulaski Street, Riverhead, New York, to include the purchase of office furniture, replacement of telephone system, repave asphalt area, upgrade mobile radio base, install fencing, replace windows, install fans, replace carpet, upgrade fire alarm system and install blinds and shades. The scope of the work is available at the Office of the Town Clerk during normal business hours. All persons wishing to be heard should be present at Riverhead Town Hall, 200 Howell Avenue, on Tuesday, February 6, 2001, at 7:10 p.m. The estimated cost of the improvements is \$44,606 to be paid from existing district funds.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York  
February 6, 2001

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

Section 5: This order shall take effect immediately.

and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Superintendent Pendzick, the Accounting Department and Frank Isler, Esq.

**THE VOTE**  
Densieski  Yes  No    Cardinal  Yes  No  
Kent  Yes  No    Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

RESOLUTION #155

ORDER CALLING PUBLIC HEARING - EXTENSION 63 TO THE RIVERHEAD WATER DISTRICT SADDLE LAKE CONDOMINIUMS

ADOPTED 02/06/01

COUNCILMAN CARDINALE offered the following resolution which was seconded by COUNCILMAN KENT

WHEREAS, a petition has been filed by Saddle Lake Condominiums, the developer of property located on the north side of Middle Road, east of Roanoke Avenue, to provide water facilities to their parcel of land located just outside the boundaries of the existing Water District, and

WHEREAS, a map and plan detailing the proposed extension has been prepared by H2M, consulting engineers to the Riverhead Water District, which report recommends a privately owned 8 inch service and loop with backflow preventor and master meter and no construction of additional facilities of the Riverhead Water District, and

WHEREAS, the maximum amount to be expended for the extension is \$2,500 which is the cost of the engineering report and public hearing, to be borne by the applicant and no public monies shall be expended for this extension, and

WHEREAS, key money will be assessed against this project to cover the cost of constructing capital improvement facilities, for a total cost of \$245,000, and

WHEREAS, the boundary of said extension is set forth fully in the attached Exhibit A, and

WHEREAS, it is necessary for the Town Board to hold a public hearing to hear all persons wishing to be heard with regard to the proposed extension,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on the 20th day of February, 2001, at 7:15 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the extension to the Riverhead Water District to be known as Extension 63, and..

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the February 8th edition of the News Review, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Gary Pendzick, Frank Isler, Esq., the developer, and H2M.

BY ORDER OF THE RIVERHEAD TOWN BOARD  
Barbara Grattan, Town Clerk

Dated: February 6, 2001.  
Riverhead, NY

**THE VOTE**

Densieski  Yes  No    Cardinalo  Yes  No

Kent  Yes  No    L.M.  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

## EXHIBIT "A"

RIVERHEAD WATER DISTRICT

PROPOSED EXTENSION NO. 63

SADDLE LAKE CONDOMINIUMS

DESCRIPTION OF EXTENSION

All these certain lots, parcels of land, said properties being known as Section 82, Block 4, Lots 226.5 and 229.1, situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the easterly right-of-way of Nadel Drive and the northerly right-of-way of Middle Road and having a radius of 29.95 feet and a length of 45.97 feet.

Traveling easterly along the northerly right-of-way of Middle Road a distance of 929.56 feet to a POINT OF BEGINNING.

From said POINT OF BEGINNING, running northerly along the westerly property line of Section 82, Block 4, Lot 229.1, the following five bearings and distances:

1. North 09° - 53'-50" West; 332.42 feet;
2. North 14° - 04'-50" West; 799.24 feet;
3. North 19° - 26'-55" West; 1,962.46 feet;
4. North 24° - 11'-40" West; 299.84 feet;
5. North 18° - 46'-30" West; 167.20 feet,

to a point known as the northerly property line of Section 82, Block 4, Lot 229.1.

THENCE running easterly along the northerly property line of Section 82, Block 4, Lot 229.1 the following bearing and distance:

North  $72^{\circ} - 44' - 30''$  East; 238.14 feet.

to a point known as the westerly property line of Section 82, Block 4, Lot 226.5.

THENCE running northerly along the westerly property line of Section 82, Block 4, Lot 229.1 the following two bearings and distances:

1. North  $21^{\circ} - 56' - 50''$  West; 868.95 feet;
2. North  $21^{\circ} - 53' - 40''$  West; 794.74 feet.

to a point known as the northerly property line of Section 82, Block 4, Lot 226.5

THENCE running easterly along the northerly property line of Section 82, Block 4, Lot 226.5 the following bearing and distance:

South  $88^{\circ} - 11' - 20''$  East; 236.96 feet.

to a point known as the easterly property line of Section 82, Block 4, Lot 226.5.

THENCE running southerly along the easterly property line of Section 82, Block 4, Lot 226.5 the following four bearings and distances:

1. South  $22^{\circ} - 58' - 40''$  East; 1,617.67 feet;
2. South  $22^{\circ} - 48' - 10''$  East; 217.10 feet;
3. South  $22^{\circ} - 39' - 15''$  East; 2,813.12 feet;
4. South  $22^{\circ} - 00' - 00''$  East; 737.50 feet (deed)  
South  $21^{\circ} - 58' - 51''$  East; 737.50 feet (actual)

to a point known as the northerly right-of-way of Middle Road and the easterly property line of Section 82, Block 4; Lot 226.5.

THENCE running westerly along the northerly right-of-way of Middle Road the following three bearings and distances:

1. South  $62^{\circ} - 44' - 50''$  West; 148.34 feet;
2. South  $76^{\circ} - 28' - 30''$  West; 155.33 feet;
3. North  $87^{\circ} - 47' - 20''$  West; 114.09 feet,

to a point known as the northerly right-of-way of Middle Road and the easterly property line of Section 82, Block 2, Lot 13.

THENCE running along the easterly property line of Section 82, Block 2, Lot 13 the following two bearings and distances:

1. North  $12^{\circ} - 29' - 50''$  West; 248.92 feet;
2. North  $16^{\circ} - 56' - 10''$  West; 110.20 feet,

to a point known as the easterly property line and the northerly property line of Section 82, Block 2, Lot 13.

THENCE running westerly along the northerly property line of Section 82, Block 2, Lot 13 the following bearing and distance:

South  $70^{\circ} - 17' - 30''$  West; 70.86 feet

to a point known as the northerly property line and the westerly property line of Section 82, Block 2, Lot 13.

THENCE running southerly along the westerly property line of Section 82, Block 2, Lot 13 the following bearing and distance:

South  $10^{\circ} - 28' - 10''$  East; 103.36 feet

to a point known as the northerly property line and easterly property line of Section 82, Block 2, Lot 7.

THENCE running westerly along the northerly property line known as Section 82, Block 2, Lot 7 the following bearing and distance:

South  $87^{\circ} - 08' - 20''$  West; 123.46 feet

to a point known as the northerly property line and westerly property line of Section 82, Block 2, Lot 7.

THENCE running southerly along the westerly property line of Section 82, Block 2, Lot 7 the following bearing and distance:

South  $06^{\circ} - 37' - 10''$  West; 172.00 feet

to a point known as the westerly property line of Section 82, Block 2, Lot 7 and the northerly right-of-way of Middle Road.

THENCE running westerly along the northerly right-of-way of Middle Road the following two bearings and distances:

1. North  $76^{\circ} - 38' - 50''$  West; 137.05 feet (actual);  
North  $76^{\circ} - 38' - 50''$  West; 137.07 feet (deed);
2. North  $89^{\circ} - 33' - 30''$  West; 29.38 feet

to the said POINT OF BEGINNING.

END OF DESCRIPTION

# Adopted

2/6/01

## TOWN OF RIVERHEAD

RESOLUTION CALLING PUBLIC HEARING  
 DARREN DEVELOPMENT CORP.  
 LATERAL WATER MAIN  
 RIVERHEAD WATER DISTRICT

RESOLUTION # 156  
 ADOPTED 02/06/01

COUNCILMAN LULL offered the following resolution which was seconded by COUNCILMAN CARDINALE,

WHEREAS, a petition has been filed by the owners of Darren Development Corp. for the installation of a lateral water main of the Riverhead Water District to serve their realty subdivision, and

WHEREAS, a map and plan has been proposed by H2M, consulting engineers to the Riverhead Water District, and

WHEREAS, the subdivision is comprised of 21 lots located north of North Wading River Road, just west of Lewin Drive in Wading River, which is already located within the boundaries of the Riverhead Water District, and

WHEREAS, the map and plan is available for review and inspection at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours, and

WHEREAS, said map and plan calls for the installation of 2,500 linear feet of six inch diameter water main at a total cost of \$104,000, and

WHEREAS, all costs associated with this lateral shall be borne by the petitioner and the petitioner will be required to pay key money in the amount of \$2,500 for each proposed dwelling unit for a total cost of \$52,500. This cost represents the infrastructure costs to the Riverhead Water District to service these additional residences, and

WHEREAS, the Town Board desires to call a public hearing to consider the aforementioned petition,

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 20th day of February, 2001, at 7:20 P.M. to hear all interested persons with regard to the petition of Darren Development Corp. to construct a lateral water main comprised of 2,500 liner feet of six inch diameter water main and appurtenances, at the sole cost of the developer and at no cost to the District and the payment of key money pursuant to Chapter 105 of the Riverhead Town Code,

NOW, THEREFORE, BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish a copy of this resolution in full in the February 8th edition of the News Review, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to H2M, Gary Pendzick, Frank Isler, Esq., and the applicant.

BY ORDER OF THE RIVERHEAD TOWN BOARD  
Barbara Grattan, Town Clerk

Dated: February 6, 2001.  
Riverhead, NY

THE VOTE  
Densieski  Yes \_\_\_ No \_\_\_ Cardinals  Yes \_\_\_ No \_\_\_  
Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Kozakiewicz  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

2/6/01

Adopted<sup>262</sup>

TOWN OF RIVERHEAD

RESOLUTION CALLING PUBLIC HEARING  
THE MEADOWS AT AQUEBOGUE  
LATERAL WATER MAIN  
RIVERHEAD WATER DISTRICT

RESOLUTION # 157  
ADOPTED 02/06/01

COUNCILMAN DENSIESKI offered the following resolution which

was seconded by COUNCILMAN KENT,

WHEREAS, a petition has been filed by the owners of The Meadows at Aquebogue for the installation of a lateral water main of the Riverhead Water District to serve their realty subdivision, and

WHEREAS, a map and plan has been proposed by H2M, consulting engineers to the Riverhead Water District, and

WHEREAS, the subdivision is comprised of 38 lots located on Church Lane, north of the interesection of Philips Lane in Aquebogue, which is already located within the boundaries of the Riverhead Water District, and

WHEREAS, the map and plan is available for review and inspection at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours, and

WHEREAS, said map and plan calls for the installation of 3,700 linear feet of eight and six inch diameter water mains at a total cost of \$143,500, and

WHEREAS, all costs associated with this lateral shall be borne by the petitioner and the petitioner will be required to pay key money in the amount of \$2,500 for each proposed dwelling unit for a total cost of \$95,000. This cost represents the infrastructure costs to the Riverhead Water District to service these additional residences, and

WHEREAS, the Town Board desires to call a public hearing to consider the aforementioned petition,

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 20th day of February, 2001, at 7:25 P.M. to hear all interested persons with regard to the petition of The Meadows at Aquebogue to construct a lateral water main comprised of 3,700 linear feet of eight and six inch diameter water main and appurtenances, at the sole cost of the developer and at no cost to the District and the payment of key money pursuant to Chapter 105 of the Riverhead Town Code,

NOW, THEREFORE, BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish a copy of this resolution in full in the February 8th edition of the News Review, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to H2M, Gary Pendzick, Frank Isler, Esq., and the applicant.

BY ORDER OF THE RIVERHEAD TOWN BOARD  
Barbara Grattan, Town Clerk

Dated: February 6, 2001.  
Riverhead, NY

THE VOTE

Densleski  Yes \_\_\_ No \_\_\_ Cardinalo  Yes \_\_\_ No \_\_\_  
 Kent  Yes \_\_\_ No \_\_\_ ~~W~~  Yes \_\_\_ No \_\_\_  
 Kozakiewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY ADOPTED

# Adopted

02/06/01

TOWN OF RIVERHEAD  
Resolution # 158

APPROVES SPECIAL PERMIT PETITION OF  
RIVERHEAD CENTRE, LLC  
~~COUNCILMAN DENSTENKI~~

\_\_\_\_\_ offered the following resolution which was  
seconded

by COUNCILMAN KENT

**WHEREAS**, the Riverhead Town Board is in receipt of a special permit petition from Riverhead Centre, LLC, pursuant to Sections 108-3, 108-45(B)(12) and the Zoning District Use Schedule of the Town Code, to increase the permissible lot coverage on property that is zoned Business B from 15% to 16.32%, and to construct a lumberyard with a garden center as an accessory use on property that is zoned Industrial A, as shown on the site plan submitted as part of the application, such property being owned by Riverhead Centre, LLC and collectively and specifically known as SCTM No. 0600-101-02-11.1; and

**WHEREAS**, Home Depot USA, Inc. is a co-applicant for the special permit to construct a lumberyard with a garden center as an accessory use on the Industrial A portion of the property; and

**WHEREAS**, the petition is accompanied by (a) a complete site plan submitted with the subject petition on November 15, 2000, which is comprised of drawings and maps prepared by Dunn Engineering Associates, Greenburg Farrow Architecture and Langan Engineering and Environmental Services, all of which are signed, sealed and certified by either a New York State licensed engineer or architect, (b) long form Environmental Assessment Form, and (c) a list of property owners within a radius of five hundred (500) feet of the subject property; and

**WHEREAS**, the special permits sought in the petition are virtually the same as those previously sought by Riverhead Centre, recommended for approval by the Riverhead Planning Board and granted by the Town Board on May 16, 2000 by Resolution No. 464; and

**WHEREAS**, the Town Board was the lead agency for purposes of the State Environmental Quality Act ("SEQRA") review of the application for special permits and continues to be lead agency with regard to the new application;

**WHEREAS**, in connection with the prior application for special permits and a prior application for a change of zone for the subject property, which

change of zone was granted by the Town Board on February 15, 2000 by Resolution No. 153, the Town Board required the preparation of a Draft Supplemental Environmental Impact Statement ("DSEIS"); and

**WHEREAS**, in connection with the prior application for special permits and the prior application for a change of zone for the subject property both a DSEIS and a Final Supplemental Environmental Impact Statement were prepared and accepted by the Town Board and, also by Resolution No. 153 of 2000, the Town Board adopted SEQRA Findings, which SEQRA Findings are incorporated herein by reference; and

**WHEREAS**, the Town's prior SEQRA review and SEQRA Findings for the project proposed by Riverhead Centre, LLC have been sustained by the Supreme Court, Suffolk County, (Miller et. al. v. Kozakiewicz et. al., Index No. 00-7159); and

**WHEREAS**, the most recent challenge to the Town's SEQRA review and SEQRA Findings for this project were dismissed by the Supreme Court's decision dated October 18, 2000 (Miller et. al. v. Kozakiewicz et. al., Index No. 00-14530) on the ground that such challenge was barred by *res judicata*; and

**WHEREAS**, the prior special permits granted by the Town Board on May 16, 2000 were vacated by the Supreme Court on the procedural grounds that the prior application was not accompanied by a "complete site plan" pursuant to section 108-3(a)(2) of the Town Code, and oaths were not administered at the public hearings on the prior application; and

**WHEREAS**, the Supreme Court did hold on the merits, however, that the Town's finding that a Home Depot is appropriately classified as a lumberyard use under the applicable definition of the Town Code is supported by the record and is consistent with the Town's treatment of similar commercial businesses that offer the retail and wholesale sales of building supplies to tradesmen and the general public as "lumberyards"; and

**WHEREAS**, the conceptual site plan previously submitted to the Town in connection with the prior application for special permits and reviewed by the Court in Miller et. al. v. Kozakiewicz et al., Index No. 00-14530, had an area designated as a "garden center" as part of the lumberyard use just as the current site plan submitted with the instant special permit application on November 15, 2000 has an area designated as a "garden center" as part of the lumberyard use; and

**WHEREAS**, notwithstanding the Supreme Court's prior ruling, comments were raised at the public hearing regarding the use of the area designated on the site plan as a "garden center"; and

**WHEREAS**, the applicant submitted substantial sworn testimony establishing that the use of the area designated as a "garden center" was consistent with the lumber yard use, was an integral part of such use and also accessory thereto; and

**WHEREAS**, by Resolution No. 1037 of 2000, the Town Board did declare that the Town's prior SEQRA review and previously adopted SEQRA Findings are applicable to the instant petition for the same special permits as previously granted and thus no further environmental review is required; and

**WHEREAS**, by Resolution No. 1037 of 2000, the Town Board referred the instant petition for special permits to the Riverhead Planning Board for its report and recommendation and, by Resolution dated December 21, 2000, the Planning Board recommended approval of the instant petition subject to one condition set forth on page 3 of the December 21, 2000 Planning Board Resolution, that the Town Board require the recording of covenants and restrictions which would require the subject real property to be developed in accordance with the conditions set forth in Town Board Resolution No. 153 of 2000; and

**WHEREAS**, on May 11, 2000, the applicant recorded covenants and restrictions which would require the subject real property to be developed in accordance with the conditions set forth in Town Board Resolution No. 153 of 2000, such First through Seventh conditions listed on the third page of that resolution, and thus the applicant has already met the conditions of approval set forth in the Planning Board's December 21, 2000 resolution; and

**WHEREAS**, the Town Board referred the instant special permit petition to the Suffolk County Planning Commission, and such Commission resolved on January 3, 2001 to disapprove the instant special permit applications on various grounds, and such disapproval requires the Town Board to approve the instant special permit petition by a super-majority; and

**WHEREAS**, a public hearing duly noticed on the instant special permit petition was held by the Town Board on January 16, 2001 pursuant to Section 108-3.E(2) of the Riverhead Zoning Ordinance and Section 265 of the Town Law in which all testimony was given under oath, and

**WHEREAS**, prior to the public hearing on January 16, 2001, Riverhead Centre, LLC presented sufficient evidence to the Town Board of compliance with the notice and posting provisions of the Town Code § 108-3; and

**WHEREAS**, the applicant has corrected the procedural defects identified by the Supreme Court in its decision dated October 18, 2000; and

**WHEREAS**, the Town Board has carefully considered the merits of this special permit petition, the recommendation of the Riverhead Planning Board, the SEQRA record created to date, including the SEQRA Findings adopted by the Town Board by Resolution No. 153 of 2000, the sworn testimony given at the public hearing, the resolution of the Suffolk County Planning Commission, as well as all other relevant planning, zoning and environmental information, now,

**THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby finds:

FIRST: That the Industrial A portion of the subject real property is suitable for a Home Depot, which constitutes a lumberyard use under the Town Code;

SECOND: That the Town Board has treated similar businesses offering the retail and wholesale sales of building supplies to tradesmen and the general public in Industrial A zones as lumberyard uses under the Town Code as evidenced by the Town Board's determination to grant to Riverhead Building Supply Corp. a special permit to construct its store as a lumberyard use in an Industrial A zone and the Town Board's current consideration of Headriver LLC's application for a special permit to construct a Lowe's home center as a lumberyard use in an Industrial A zone;

THIRD: That a lumberyard use continuously existed on a portion of the real property from the 1950s through 1991;

FOURTH: That the following sworn testimony presented on behalf of the applicant at the public hearing established, among other things:

(a) each of the 1,004 Home Depots in the United States has a "garden center" as part of its ordinary and customary use;

(b) each of the 576 stores of Home Depot's major competitor, Lowe's, also has a "garden center" as part of its ordinary and customary use;

(c) the site plan shows the area designated as "garden center" to be 18,000 square feet. This is typical for a Home Depot of the size proposed for this project (118,000 square feet);

(d) the goods sold in that portion of the Home Depot designated as "garden center" include products such as decorative stone, power equipment, tools, watering supplies, hand trucks and dollies, and other building materials for use indoors and outdoors together with some live plants and generic garden supplies. These products are part of a lumberyard catering to do-it-yourself home improvement customers, among others;

(e) the area designated as a "garden center" is also used for storage space for lumber materials;

(f) in the twelve (12) Home Depots now operating on Long Island, sales in the area designated as "garden center" account for only 3% of the total store sales. The vast majority of goods sold from the garden center area of the Home Depot (78%) are of hard goods, such as building materials, power equipment, tools and landscaping supplies; and, therefore, with respect to public commentary presented to the Town Board challenging the propriety of the designation of an 18,000 square foot area of Home Depot as a "garden center", the Town Board hereby finds that a considerable portion of the goods to be sold and stored in the area designated as "garden center" consist of building materials consistent with the lumber yard usage and the balance of the goods and materials offered for sale in that area, which comprise an extremely small fraction of the overall goods and materials offered for sale at the entire site, are appropriately accessory and incidental to the lumberyard use.

FIFTH: That the Business B portion of the subject real property is suitable for commercial and retail uses;

SIXTH: That adequate access to the subject property's facilities will be provided;

SEVENTH: That the project as designed provides for parking in excess of that required by the Zoning Ordinance;

EIGHTH: That adequate provisions have been made for the collection of stormwater and the treatment of sanitary waste water;

NINTH: That the Town's existing municipal services and facilities are adequate to provide for the needs of the proposed uses;

TENTH: That the proposed lumberyard use in the Industrial A zone and increased coverage in the Business B zone are consistent with the change of zone previously granted by the Town Board for the subject property and consistent with other past and pending applications to the Town Board for similar relief; and

ELEVENTH: That the Town Board has consistently granted similar applications for increased coverage in Business B zones in the vicinity of the Route 58 corridor, including Wal-Mart's application for an increase in lot coverage from 21.7% to 22% and the TJ Maxx application for an increase from 15% to 17%; and

TWELFTH: That the proposed lumberyard use in the Industrial A zone and increased coverage in the Business B zone are consistent with the SEQRA Findings previously adopted by the Town Board on February 15, 2000, and any adverse environmental impacts resulting from approval of the special permits have been avoided or minimized to the extent practicable.

**BE IT FURTHER**

**RESOLVED**, that the Town Board makes the following further findings as required by section 108-3(E)(3) of the Town Zoning Ordinance:

FIRST: That the proposed lumberyard use in the Industrial A zone and the increased lot coverage from 15% to 16.32% for a total increased lot coverage of 1.32% in the Business B zone will not impair the orderly development of other properties in the neighborhood;

SECOND: That the benefits of the proposed lumberyard use in the Industrial A zone and increased lot coverage in the Business B zone, which include but are not limited to the enhancement of consumer value, choice and convenience, significant employment opportunities, substantial real property taxes and orderly development along the Route 58 corridor, far outweigh any disadvantages to the neighborhood resulting from the proposed development of the site, which disadvantages have been eliminated or mitigated to the extent practical;

THIRD: That the public well-being is being served by the proposed development and the health, safety, welfare, comfort and order of the Town will not be adversely affected by the location of a lumberyard use in the Industrial A zone and the increased lot coverage in the Business B zone; and

FOURTH: That in consideration of the 1973 Comprehensive Master Plan, the subsequent studies and reports presented to the Town Board that identify the Route 58 corridor as a regional commercial center that attracts customers for the purchase of goods from a significantly large catchment area, which includes locations outside the boundaries of the Town of Riverhead, and the Town Board's policy of providing the infrastructure necessary to attract new development within the western portion of the Route 58 corridor, the proposed lumberyard use in the Industrial A zone and the increased lot coverage in the Business B zone will be in harmony with and will promote the general purposes and intent of the Town of Riverhead Zoning Ordinance.

**BE IT FURTHER**

**RESOLVED**, that based upon its SEQRA Findings, its other findings set forth herein and such other relevant information presented to the Town Board, the Town Board hereby overrides each and every objection to the proposed development set forth in the resolution of the Suffolk County Planning Commission dated January 3, 2001 disapproving the instant special permit petition, and approves the instant special permit petition to allow on the subject real property the construction of a lumberyard with a garden center as

an accessory use on the Industrial A portion of the property and increased lot coverage in the Business B zone from 15% to 16.32%.

**BE IT FURTHER**

**RESOLVED**, that Riverhead Centre, LLC shall complete construction of the proposed development within three years from the date of this resolution.

**BE IT FURTHER**

**RESOLVED**, that copies of this resolution be forwarded to the Planning Board, Planning Department, Town Attorney and Riverhead Centre, LLC, or their agent.

**THE VOTE**  
Densieski  Yes \_\_\_ No Cardinala  Yes \_\_\_ No  
Kent  Yes \_\_\_ No Lall  Yes \_\_\_ No  
Kozakiewicz  Yes \_\_\_ No  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, -200 Howell Avenue, in Riverhead, New York, in said Town, on the 6<sup>th</sup> day of February, 2001, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Robert F. Kozakiewicz  
Supervisor

Edward Densieski  
Councilman

Philip Cardinale  
Councilman

Christopher Kent  
Councilman

James B. Lull  
Councilman

-----:  
In the Matter :  
of :  
the Increase and Improvement :  
of the Facilities of Riverhead :  
Water District in the Town :  
of Riverhead, Suffolk County, :  
New York :  
-----:

ORDER CALLING  
PUBLIC HEARING

**COUNCILMAN CARDINALE** offered the following resolution,

which was seconded by: **COUNCILMAN KENT**

WHEREAS, by proceedings heretofore duly had and taken, and, particularly, by order dated June 2, 1998, the Town Board of the Town of Riverhead, Suffolk County, New York, determined it

to be in the public interest to increase and improve the facilities of the Riverhead Water District, by the construction of wells and a pump station and the purchase and installation of transmission mains incidental to such well work, at an aggregate maximum estimated cost of \$1,943,000; and

WHEREAS, said Town Board was subsequently successful in obtaining a grant for said new wells and transmission mains, the demolition of existing water facilities, new building hook-ups, additional new transmission mains and a new district-wide SCADA control system; and

WHEREAS, the Town Board of said Town thereafter caused to be prepared a new map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Riverhead Water District providing for said new project, at a aggregate maximum estimated cost of \$3,743,000 and an estimated local share of \$1,943,000, being the same as that previously authorized, and said Town Board subsequently held a hearing on April 20, 1999 after due notice and determined that the aforesaid increase and improvement was in the public interest; and

WHEREAS, said increase and improvement of facilities of the Riverhead Water District consists of (a) the construction of wells and a pump station building, at a maximum estimated cost of \$1,750,000; (b) the purchase and installation of transmission mains both incidental and not incidental to said well work, at an estimated cost of \$1,085,000; (c) the demolition of existing water facilities, at a maximum estimated cost of \$135,000; (d) the construction of new building hook-ups, at a maximum estimated cost of \$100,000; and (e) a new district-wide SCADA control system, at a maximum estimated cost of \$495,000, including contingency of \$178,000 to be allocated and expended, if necessary, to the aforesaid sub-projects as the Town Board shall determine necessary and appropriate, at an aggregate maximum estimated cost of \$3,743,000, for which EDA grant

proceeds are anticipated to be received in the amount of \$1,800,000 with the local share to the Riverhead Water District estimated to be \$1,943,000; and

WHEREAS, the Town Board of said Town has re-evaluated the current plan and since caused to be prepared a new map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Riverhead Water District which provides for the modification of the existing plan, because of the results of a test well at Plant No. 11, to eliminate the planned second well at Plant No. 11 and to include the rehabilitation and upgrading of two existing wells on the Grumman property;

WHEREAS, the increase and improvement when modified as proposed would have an aggregate maximum estimated cost of \$3,743,000 and an estimated local share of \$1,943,000, which is the same as that presently authorized, and said Town Board now desires to hold a hearing to consider whether the modified increase and improvement would be in the public interest; and

WHEREAS, said modified increase and improvement of facilities of the Riverhead Water District consists of the planning, engineering and construction or reconstruction of Route 25 transmission mains, a Plant No. 11 well, on site transmission mains, including related demolition, at the Calverton facility, and Plant No. 12 wells, at an aggregate maximum estimated cost of \$3,743,000, for which EDA grant proceeds are anticipated to be received in the amount of \$1,800,000 with the local share to the Riverhead Water District estimated to be \$1,943,000, being no increase over the previous authorization; and

WHEREAS, said capital project, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which as proposed, the Town Board has determined will not have a significant effect on the environment; and

WHEREAS, it is now desired to call a public hearing on the question of authorizing such increase and improvement of facilities, as so modified, at an aggregate maximum estimated cost of \$3,743,000; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 20th day of February, 2001, at 7:35 o'clock P.M., Prevailing Time, on the question of increasing and improving the facilities of the Riverhead Water District in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in News Review, the official newspaper of said Town, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, in Riverhead, New York, in said Town, on the 20 day of February, 2001, at 7:35 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing for the specific object or purpose of paying the cost of the increase and improvement of the facilities of Riverhead Water District in the Town of Riverhead, Suffolk County, New York, within said Town, consisting of the planning, engineering and construction or reconstruction of Route 25 transmission mains, a Plant No. 11 well, on site transmission mains, including related demolition, at the Calverton facility, and Plant No. 12 wells, at an aggregate maximum estimated cost of \$3,743,000, for which EDA grant proceeds are anticipated to be received in the amount of \$1,800,000 with the local share to the Riverhead Water District estimated to be \$1,943,000, being no increase over the previous authorization.

Said project has been determined to be an Unlisted Action for purposes of the State Environmental Quality Review Act which as proposed, the Town Board has determined will not result in any significant environmental effects.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York  
February 6, 2001

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

By: Barbara Grattan

Town Clerk

Section 4. This Order shall take effect immediately.

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

<u>    </u> Councilman Edward Densieski	VOTING <u>    </u>
<u>    </u> Councilman Philip Cardinale	VOTING <u>    </u>
<u>    </u> Councilman Christopher Kent	VOTING <u>    </u>
<u>    </u> Councilman James B. Lull	VOTING <u>    </u>
<u>    </u> Supervisor Robert F. Kozakiewicz	VOTING <u>    </u>
<u>    </u>	VOTING <u>    </u>

The Order was thereupon declared duly adopted.

\* \* \* \* \*

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No  
 Kent  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

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

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)  
of posted notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town.  
this \_\_\_\_\_ day of February, 2001.

\_\_\_\_\_

Town Clerk

(CORPORATE  
SEAL)

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO  
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board  
of said Town, including the order contained therein, held on the \_\_\_\_ day of February, 2001, with  
the original thereof on file in my office, and that the same is a true and correct transcript therefrom  
and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open  
Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting. I duly caused a public  
notice of the time and place of said meeting to be given to the following newspapers and/or other  
news media as follows:

Newspaper and/or other news media

Date given

February 6, 2001

**Adopted**

**TOWN OF RIVERHEAD**

Resolution # 160

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – SPECIAL PERMIT – SUNKEN PONDS**

COUNCILMAN CARDINALE offered the following resolution which was seconded by COUNCILMAN DENSIESKI

**WHEREAS**, the Town Board of the Town of Riverhead is in receipt of a special permit petition FROM Sunken Ponds, LLC to allow the constriction of a 192 retirement community condominium units upon real property located at Middle Road, Riverhead, New York, such real property more particularly described as Suffolk County Tax Map No. 0600-64-2-p/o 2 & p/o 7.43, and

**WHEREAS**, at this time the Town Board desires to hold a public hearing upon the petition pursuant to Section 108-3 of the Riverhead Zoning Ordinance, now

**THEREFORE BE IT**

**RESOLVED**, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

**THE VOTE**

Densieski  Yes \_\_\_ No \_\_\_    Cardinale  Yes \_\_\_ No \_\_\_

Kent  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_

Kozakiewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

**THEREUPON DULY ADOPTED**

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 6th day of March, 2000 at 7:05 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of Sunken Ponds, LLC to allow the constriction of a 192 retirement community condominium units upon real property located at Middle Road, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map No. 0600-64-2-p/o 2 & p/o 7.43.

DATED: February 6, 2001  
Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

Adopted

2/6/2001

TOWN OF RIVERHEAD

Resolution # 161

Dated 2/6/2001

REFERS SPECIAL PERMIT PETITION OF MID ROAD PROPERTIES TO THE RIVERHEAD PLANNING BOARD

COUNCILMAN KENT offered the following resolution, which was seconded by COUNCILMAN CARDINALE

WHEREAS, Peter Danowski, Esq. has submitted a special permit petition to the Riverhead Town Board to allow the construction of 126 retirement community condominium units upon real property located at Middle Road, Riverhead; such real property more particularly described as Suffolk County Tax Map No. 0600-081-01-001.1; and

WHEREAS, the Riverhead Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the attending change of zone petition, as well as all the relevant planning, zoning and environmental information.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Mid Road Properties to allow for the construction of 126 units upon real property located at Middle Road, Riverhead, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Type I, Pursuant to 6NYCRR Part 617; and

BE IT FURTHER

RESOLVED, that the Town Clerk forward the petition to the Riverhead Planning Board for its report and recommendation pursuant to section 108-3 of the Riverhead Zoning Ordinance.

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be transmitted to Peter Danowski as the attorney for the applicant.

THE VOTE
Densleski Yes No Cardinali Yes No
Kent Yes No Kull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS NOT
THEREUPON DULY ADOPTED

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 162

APPROVES TEMPORARY SIGN PERMIT OF WIN PROPERTIES (DAEWOO)

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN KENT :

**WHEREAS**, a temporary sign permit application and sketch were submitted by Patricia C. Moore, Esq., as attorney for Win Properties, for property located at 1180 Old Country Road, Riverhead, New York, more particularly described as Suffolk County Tax Map #0600-108-3-12; and

**WHEREAS**, pursuant to Section 108-56 C (5) of the Code of the Town of Riverhead, the application does not require the recommendation of the Architectural Review Board; and

**WHEREAS**, the sketch has been approved by three (3) Town Board members.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application submitted by Patricia C. Moore, Esq., as attorney for Win Properties, which application is dated November 28, 2000; and be it further

**RESOLVED**, that said temporary sign permit shall expire on August 7, 2001, and the applicant shall remove the affected sign(s), in its entirety, on or before said date; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Patricia C. Moore, Esq., as attorney for Win Properties, 51020 Main Road, Southold, New York, 11971; the Planning Department and the Building Department.

**THE VOTE**

Densleski  Yes  No    Cardinale  Yes  No  
 Kent  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY ADOPTED

**Adopted**

February 6th, 2001

## TOWN OF RIVERHEAD

Resolution # 163**APPROVES PHASE II - SITE PLAN OF RIVERHEAD DAEWOO, INC.**

Councilman Cardinale offered the following resolution,  
 which was seconded by Councilman Densieski :

**WHEREAS**, a site plan and elevations were submitted by Patricia Moore, Esq, for Riverhead Daewoo, Inc. located at 1180 Old Country Road, New York, known and designated as Suffolk County Tax Map Number 0600-108-03-12; and

**WHEREAS**, the Planning Department has reviewed the site plan dated September 1st, 2000 and revised October 24<sup>th</sup>, 2000 as prepared by Joseph A. Ingegno, Land Surveyor, and elevations dated November 13, 2000, as prepared by Charles M. Thomas, Architect, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

**WHEREAS**, a copy of the site plan has been marked and initialed 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**, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 31818 of the Office of the Supervisor of the Town of Riverhead; and;

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, That in the matter of the site plan application of Patricia Moore, Esq, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted Pursuant to 6NYCRR Part 617 and one which will not have a significant environmental impact and that a Draft Environmental Impact Statement need not be prepared; and

**BE IT FURTHER**

**RESOLVED**, that the site plan and elevations submitted by Patricia Moore, Esq, for Riverhead Daewoo, Inc. located at 1180 Old Country Road, New York, site plan dated September 1, 2000, and revised October 24, 2000 as prepared by Joseph Ingegno, Land Surveyor, and elevations dated November 13, 2000, as prepared by Charles M. Thomas, Architect, 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 proves 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. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That 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 and the Code of the Town of Riverhead, 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, WINKAL MANAGEMENT LLC hereby authorizes and

consents to the Town of Riverhead to enter premises at 1180 Old Country Road, , New York, to enforce said handicapped parking regulations;

- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all new utilities shall be constructed underground;
- 12. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent 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.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. 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;
- 15. That the landscaped area within the front yard shall be free at all times of the display of motor vehicles; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Patricia Moore, Esq, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No  
 Kent  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

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

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_ day of \_\_\_\_\_, 2000, made by Winkal Management LLC, residing at 66 Field Point Road, Greenwich, Ct. 06830, Declarant:

### WITNESSETH:

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , “Trash, Rubbish and Refuse Disposal,” and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, 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, WINKAL MANAGEMENT LLC hereby authorizes and consents to the Town of Riverhead to enter premises at 1180 Old Country Road, , New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest “American Standards for Nursery Stock,” as published by the American Association of Nurserymen;

14. That the landscaped area within the front yard shall be free at all times of the display of motor vehicles;

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

\_\_\_\_\_  
WINKAL MANAGEMENT LLC

STATE OF NEW YORK )

: ss.:

COUNTY OF SUFFOLK )

On the \_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ before me, the undersigned, \_\_\_\_\_ personally \_\_\_\_\_ appeared

\_\_\_\_\_ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
NOTARY PUBLIC

February 6th, 2001

TOWN OF RIVERHEAD

Resolution # 164

**APPROVES SITE PLAN OF NEXTEL OF NEW YORK, INC. D/B/A NEXTEL COMMUNICATIONS**

COUNCILMAN DENESKI offered the following resolution, which was seconded by COUNCILMAN LULL:

**WHEREAS**, a site plan and elevations were submitted by Nextel of New York, Inc., d/b/a Nextel Communications, to affix twelve (12) panel public utility telecommunication antennas on existing monopole and install 10' x 20' equipment shelter at base of pole, located at 390 Route 25, Wading River, New York, New York, known and designated as Suffolk County Tax Map Number 0600-134-1-2.2; and

**WHEREAS**, the Planning Department has reviewed the site plan dated 1/03/2001, as prepared by William F. Collins, AIA Architects, LLP, and elevations dated 1/03/2001, as prepared by William F. Collins, AIA Architects, LLP, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

**WHEREAS**, a copy of the site plan has been marked and initialed 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**, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 4613 of the Office of the Supervisor of the Town of Riverhead; and;

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, That in the matter of the site plan application of Nextel of New York, Inc., d/b/a Nextel Communications, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted Pursuant to 6NYCRR Part 617 and one which will not have a significant environmental impact and that a Draft Environmental Impact Statement need to be prepared; and

**BE IT FURTHER**

**RESOLVED**, that the site plan and elevations submitted by Nextel of New York, Inc., d/b/a Nextel Communications, to affix twelve (12) panel public utility telecommunication antennas on existing monopole and install 10' x 20' equipment shelter at base of pole, located at 390 Route 25, Wading River, New York, site plan dated 1/03/2001, as prepared by William F. Collins, AIA Architects, LLP, and elevations dated 1/03/2001, as prepared by William F. Collins, AIA Architects, LLP, 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 review 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. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That 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 and the Code of the Town of Riverhead, 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, 390 Route 25, Ltd. hereby authorizes and consents to the Town of Riverhead to enter premises at 390 Route 25, Wading River, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent 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.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Lawrence C. Re', Esq., Munley, Meade, Nielsen & Re', Attorneys at Law, 32 Woodbury Road, Huntington, New York 11732 the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

## DECLARATION AND COVENANTS

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 2000, made by 390 Route 25, Ltd., residing at 290 Duffy Avenue, Hicksville, New York 11801, Declarant:

### WITNESSETH:

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, 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, 390 Route 25, Ltd. hereby authorizes and consents to the Town of Riverhead to enter premises at 390 Route 25, Wading River, New York, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

390 Route 25, Ltd.

STATE OF NEW YORK )

: ss.:

COUNTY OF SUFFOLK )

On the \_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ before me, the undersigned, \_\_\_\_\_ personally \_\_\_\_\_ appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

**THE VOTE**

Densieski  Yes  No    Cardinal  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

**THE RESOLUTION WAS  WAS NOT**

**THEREUPON DULY ADOPTED**

**Adopted**

2/06/01

TOWN OF RIVERHEAD

Resolution # 165

**APPROVES SITE PLAN OF RIVERHEAD CENTRE, LLC**

**COUNCILMAN LULL** offered the following resolution,

which was seconded by **COUNCILMAN CARDINALE**:

**WHEREAS**, a complete site plan and elevations were submitted by Riverhead Centre, LLC, on November 15, 2000 for construction of a lumberyard on property that is zoned Industrial A and various commercial and retail uses on property that is zoned Business B, as set forth on the aforementioned site plan and elevations, such property located at N/E/C Route 58 and Mill Road, Riverhead, New York, and collectively known and designated as Suffolk County Tax Map Number 0600-101-2-11.1; and

**WHEREAS**, the Planning Department has reviewed the site plan, which is comprised of drawings and maps prepared by Langan Engineering and Environmental Services, Greenberg Farrow Architecture, and Dunn Engineering Associates, all of which are signed, sealed and certified by either a New York state licensed engineer or architect, and the Planning Department has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, the proposed project for which site plan approval is now sought has been the subject of a comprehensive environmental review pursuant to the State Environmental Quality Review Act, for which the Town Board was lead agency, that included preparation of draft and final environmental impact statements and draft and final supplemental environmental impact statements and the adoption of a SEQRA Findings Statement by the Town Board on February 15, 2000; and

**WHEREAS**, the Town's prior SEQRA review and SEQRA Findings for the project proposed by Riverhead Centre, LLC have been sustained by the Supreme Court, Suffolk County, (Miller et. al. v. Kozakiewicz et. al., Index No. 00-7159); and

**WHEREAS**, the most recent challenge to the Town's SEQRA review and SEQRA Findings for the proposed project were dismissed by the Supreme Court's decision dated October 18, 2000 (Miller et. al. v. Kozakiewicz et. al., Index No. 00-14530) on the ground that such challenge was barred by *res judicata*; and

**WHEREAS**, by Resolution No. 153 of 2000, the Town Board approved a change of zone for the subject property and required that the property be developed in accordance with several conditions, which First through Seventh conditions are listed on the third page of that resolution, and further stated that no site plan application shall be approved prior to the recording of covenants memorializing those conditions;

**WHEREAS**, on May 11, 2000, the applicant recorded covenants and restrictions which would require the subject real property to be developed in accordance with the First through Seventh conditions set forth on page three of Town Board Resolution No. 153 of 2000;

**WHEREAS**, the site plan was the subject of a resolution of the Town's Architectural Review Board, which resolution has been reviewed by the Town Board; and

**WHEREAS**, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited in the Office of the Supervisor of the Town of Riverhead as per Receipt No. 3701; and;

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan and elevations aforementioned are consistent with the Town Board's Resolution No. 153 of 2000 approving a change of zone for the property, the covenants and restrictions required by Resolution No. 153 and recorded by the applicant on May, 11, 2000, the Town Board's prior SEQRA review and Findings, the special permits sought in connection with the proposed project, and all applicable requirements of the Town Code.

**BE IT FURTHER**

**RESOLVED**, that in the matter of the application for site plan approval, the Town Board hereby makes the following findings:

FIRST: That the proposed site plan provides adequate screening to protect the character of the surrounding neighborhood;

SECOND: That proposed parking areas will be sufficiently drained and screened to the extent practicable from the surrounding properties and roads;

THIRD: That vehicular ingress and egress, interior traffic circulation, parking space arrangement, loading facilities and pedestrian walkways as depicted on the proposed site plan promote safety and efficiency;

FOURTH: That vehicular entrances and exits as proposed will be clearly visible from access streets and not within seventy five (75) feet from any street intersection; and

FIFTH: That the proposed provisions for water supply, sewage, garbage and waste disposal are adequate to ensure health and safety of persons on and off the site and will not result in the avoidable depletion or degradation of groundwater, surface water bodies, watercourses, wetlands or other natural features or systems.

**BE IT FURTHER**

**RESOLVED**, that the site plan and elevations submitted by Riverhead Center LLC, on November 15, 2000 for construction of lumberyard on property that is zoned Industrial A and various commercial and retail uses on property that is zoned Business B as set forth on the aforementioned site plan and elevations, 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 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. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. 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 and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Riverhead Centre, LLC hereby authorizes and consents to the Town of Riverhead to enter premises at N/E/C Route 58 and Mill Road, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;

11. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Charles R. Cuddy, Esq., 445 Griffing Avenue, Riverhead, New York 11901, attorney for applicant, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_\_ day of \_\_\_\_\_, 2000, made by Riverhead Centre, LLC, c/o H. B. Gianos, residing at 625 Madison Avenue, New York 10022, 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 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. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. 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 and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Riverhead Centre, LLC hereby authorizes and consents to the Town of Riverhead to enter premises at N/E/C Route 58 and Mill Road, 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. That all new utilities shall be constructed underground;
10. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of

the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

- 11. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 12. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

\_\_\_\_\_  
Riverhead Centre, LLC

STATE OF NEW YORK )

: ss.:

COUNTY OF SUFFOLK )

On the \_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ before  
me, the undersigned, personally appeared

\_\_\_\_\_  
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
NOTARY

\_\_\_\_\_  
PUBLIC

February 6, 2001

TOWN OF RIVERHEAD

RESOLUTION # 166

DECLARES LEAD AGENCY AND CLASSIFIES ACTION OF ZONE CHANGE FOR HIDDEN MEADOWS AT CALVERTON AND REFERS PETITION TO PLANNING BOARD

COUNCILMAN DENSIESKI offered the following resolution, which was

seconded by COUNCILMAN KENT :

WHEREAS, the Riverhead Town Board is in receipt of a petition from James Esposito as contract vendee of the land in question to alter the zoning of approximately 5.3 acres of a 7.4 acre parcel from Industrial 'A' to Residence 'B' . so to be identical with the 2.1 acre remnant (the ultimate intent being to subdivide the entire parcel into 6 single and separate residential lots), said parcel being more specifically known as SCTM No. 0600-97-1-1, and

WHEREAS, a Full Environmental Assessment Form and supporting documentation was submitted as part of the petition, and

WHEREAS, the Riverhead Planning Department has reviewed these materials and recommended the petition be considered an Unlisted Action for which coordinated review is optional and in this case unnecessary, and

WHEREAS, the Town Board desires the recommendations of the Riverhead Planning Board respecting planning and zoning issues prior to determining significance, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declare itself to be the Lead Agency in the zone change petition for Hidden Meadows at Calverton which is considered to be an Unlisted Action, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the applicant or his agent and to the Planning Department and to forward the petition to the Planning Board for their report and recommendations.

THE VOTE  
Densieski  Yes  No    Cardinale  Yes  No  
Kent  Yes  No    Kull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

2/6/2001

306  
**Adopted**

**TOWN OF RIVERHEAD  
Resolution # 167  
February 6, 2001**

**REFERS SPECIAL PERMIT PETITION TO THE RIVERHEAD PLANNING BOARD**

COUNCILMAN CARDINALE

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Riverhead Town Board is in receipt of a petition from Serota and Sons to allow the construction of 171,075 square foot shopping center in excess of the fifteen percent building area provided for within the Business B zoning use district upon real property located at County Route 58 Riverhead; such real property more particularly described as Suffolk County Tax Map No. 0600-108-03-p/o 013.1; and

WHEREAS, at this time the Town Board desires to refer the petition to the Riverhead Planning Board for its report and recommendation; and

WHEREAS, the Town Board has carefully considered the merits of the petition and the SEQRA record created to date.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Serota and Sons, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Type I Pursuant to 6NYCRR Part 617; and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to refer the subject special permit to the Riverhead Planning Board for its report and recommendation, pursuant to section 108-3 of the Riverhead Town Zoning Ordinance, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be transmitted to Serota and Sons as the applicant.

**THE VOTE**  
Densieski  Yes  No    Cardinale  Yes  No  
Kent  Yes  No    Luff  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

**Adopted**

February 6th, 2001

## TOWN OF RIVERHEAD

Resolution # 168**APPROVES SITE PLAN OF MEIER DEVELOPMENT LLC**COUNCILMAN LULL

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI:

**WHEREAS**, a site plan and elevations were submitted by Edward A. Meier, for construction of a miniature golf and recreation park, located at North Side of Old Country Road (c.r. 58), Riverhead New York, known and designated as Suffolk County Tax Map Number 0600-101-1-10.2; and

**WHEREAS**, the Planning Department has reviewed the site plan dated December 13, 2000 , as prepared by Thomas C. Wolpert, P.E., and elevations dated December 13, 2000, as prepared by Thomas C. Wolpert, P.E., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

**WHEREAS**, a copy of the site plan has been marked and initialed 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**, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 3601 of the Office of the Supervisor of the Town of Riverhead; and;

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, That in the matter of the site plan application of Edward A. Meier, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted Pursuant to 6NYCRR Part 617 and one which will not have a significant environmental impact and that a Draft Environmental Impact Statement need not be prepared, and

**BE IT FURTHER**

**RESOLVED**, that the site plan and elevations submitted by Edward A. Meier, for construction of a miniature golf and recreational park, located at the north side of Old Country Road (c.r. 58), Riverhead, New York, site plan dated December 13, 2000, as prepared by Thomas C. Wolpert, P.E., and elevations dated December 13, 2000, as prepared by Thomas C. Wolpert, P.E., 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. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That 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 and the Code of the Town of Riverhead, 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, Edward A. Meier hereby authorizes and consents to the Town

of Riverhead to enter premises at the North Side of Old Country Road (c.r. 58), New York, to enforce said handicapped parking regulations;

- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all new utilities shall be constructed underground;
- 12. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent 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.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Edward A. Meier, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

**THE VOTE**

Densleski  Yes  No    Cardinalo  Yes  No  
 Kent  Yes  No    Kull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY ADOPTED

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_ day of \_\_\_\_\_, 2000, made by Edward A. Meier, residing at Meier Development, LLC, PO Box 561, Riverhead, New York 11901, Declarant:

### WITNESSETH:

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, 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, Edward A. Meier hereby authorizes and consents to the Town of Riverhead to enter premises at north side of Old Country Road (c.r. 58), New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

---

Edward A. Meier

STATE OF NEW YORK )

: ss.:

COUNTY OF SUFFOLK )

On the \_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ before me, the undersigned; \_\_\_\_\_ personally appeared

\_\_\_\_\_ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

---

NOTARY PUBLIC

February 6th, 2001

**Adopted**

## TOWN OF RIVERHEAD

Resolution # 169**APPROVES SITE PLAN OF EAST END CARDIOLOGY****COUNCILMAN KENT** \_\_\_\_\_ offered the following resolution,which was seconded by **COUNCILMAN LULL** \_\_\_\_\_:

**WHEREAS**, a site plan and elevations were submitted by George H. Suddell, for Construction of a new office building, located at East Main Street, Route 25, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-109-4-3; and

**WHEREAS**, the Planning Department has reviewed the site plan dated December 12<sup>th</sup>, 2000, as prepared by George H. Suddell, R.A., and elevations dated December 12<sup>th</sup>, 2000, as prepared by George H. Suddell, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

**WHEREAS**, a copy of the site plan has been marked and initialed 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**, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 31821 of the Office of the Supervisor of the Town of Riverhead; and;

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, That in the matter of the site plan application of George H. Suddell, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted per 6NYCRR Part 617 and one which will not have a significant environmental impact and that a Draft Environmental Impact Statement need not be prepared; and

**BE IT FURTHER**

Riverhead, New York, site plan dated 12<sup>th</sup> December 2000, as prepared by George H. Suddell, R.A., and elevations dated 12<sup>th</sup> December 2000, as prepared by George H. Suddell, R.A., 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 proves 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. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That 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 and the Code of the Town of Riverhead, 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, East End Cardiology hereby authorizes and consents to the Town of Riverhead to enter premises at East Main Street, Route 25, Riverhead, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent 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.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to George H. Suddell, R.A., 20211 East Shore Road, Huntington, New York 11743, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

**THE VOTE**

Densieski  Yes \_\_\_ No \_\_\_    Cardinale  Yes \_\_\_ No \_\_\_  
 Kent  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
 Kozakiewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY ADOPTED

## DECLARATION AND COVENANTS

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 2000, made by East End Cardiology, residing at 1333 East Main Street, Riverhead, N.Y. 11901, Declarant:

### WITNESSETH:

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, 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, East End Cardiology hereby authorizes and consents to the Town of Riverhead to enter premises at East Main Street, Route 25, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

\_\_\_\_\_  
East End Cardiology

STATE OF NEW YORK )

: ss.:

COUNTY OF SUFFOLK )

On the \_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ before me, the undersigned, \_\_\_\_\_ personally \_\_\_\_\_ appeared

\_\_\_\_\_ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
NOTARY PUBLIC

February 6<sup>th</sup>, 2001

## TOWN OF RIVERHEAD

**Adopted**Resolution # 170**APPROVES SITE PLAN OF 755 EAST MAIN STREET****COUNCILMAN DENSIESKI** offered the following resolution,which was seconded by **COUNCILMAN KENT**:

**WHEREAS**, a site plan and elevations were submitted by Antonino Militello, to enclose the front porch, reconstruct the rear elevation of building and add a second floor upon a building located at 755 East Main Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-127.00-0700-015.000; and

**WHEREAS**, the Planning Department has reviewed the site plan dated 12/10/2000, as prepared by Dominick Michael Salerno, R.A., and elevations dated 12/10/2000, as prepared by Dominick Michael Salerno, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant planning, zoning and environmental information; and

**WHEREAS**, a copy of the site plan has been marked and initialed 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**, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 2402 of the Office of the Supervisor of the Town of Riverhead; and

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, That in the matter of the site plan application of Antonino Militello, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II Pursuant to 6NYCRR Part 617 and that a Draft Environmental Impact Statement need not be prepared; and.

**BE IT FURTHER**

**RESOLVED**, that the site plan and elevations submitted by Antonino Militello, to enclose the front porch, reconstruct the rear elevation and add a second floor addition upon a building located at 755 East Main Street, Riverhead, New York, site plan dated 12/10/2000, as prepared by Dominick Michael Salerno, R.A., and elevations dated 12/10/2000, as prepared by Dominick Michael Salerno, R.A., 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. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That 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 and the Code of the Town of Riverhead, 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, Antonino Militello hereby authorizes and consents to the

Town of Riverhead to enter premises at 755 East Main Street, Riverhead, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent 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.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Antonino Militello, 120 Blydenburg Avenue, Smithtown, New York 11787, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

**THE VOTE**

Dansleski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lili  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

## DECLARATION AND COVENANTS

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 2000, made by Antonino Militello, residing at 120 Blydenburg Avenue, Smithtown, New York 11787, Declarant:

### WITNESSETH:

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled ,  
“Trash, Rubbish and Refuse Disposal,” and Chapter 98, prohibiting the accumulation  
of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to  
their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in  
the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the  
**Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the  
Code of the Town of Riverhead, 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, Antonino Militello hereby authorizes and consents to the  
Town of Riverhead to enter premises at 755 East Main Street, Riverhead, New York,  
to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an  
orderly and professional manner and kept free of weeds and litter, and that any  
planters, planter boxes, window boxes, or other container plantings shall likewise be  
maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) 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 land clearing and/or building permit, shall post a performance bond or  
other equivalent security. The performance bond or other security assures the  
performance of all the conditions of the building permit in accordance with the site  
plan approval. The Supervisor, upon approval from the Town Attorney as to form, is  
hereby authorized to accept said performance bond or other security, which shall be  
filed with the Town Clerk subsequent to approval of the site plan herein. The  
building permit shall not be issued until the town Clerk certifies that the performance  
bond or other security has been filed in the Office of the Town Clerk of the Town of  
Riverhead. Said security shall be in full force and effect for the term of the building  
permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department  
of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest  
“American Standards for Nursery Stock,” as published by the American Association  
of Nurserymen;

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

---

Antonino Militello

STATE OF NEW YORK )

: ss.:

COUNTY OF SUFFOLK )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ before me, the  
undersigned, \_\_\_\_\_ personally \_\_\_\_\_ appeared

\_\_\_\_\_ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

---

NOTARY PUBLIC

2/6/01

Adopted

TOWN OF RIVERHEAD

Resolution # 171

AUTHORIZES THE LAW FIRM OF LIEBOWITZ & ASSOCIATES, P.A. IN CONNECTION THE CABLEVISION FRANCHISE RENEWAL AGREEMENT

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, the Town of Riverhead and the Town of Southold are currently renegotiating their Cablevision Franchise Renewal Agreements; and

WHEREAS, the Law Firm of Liebowitz & Associates, P.A. has proposed to renegotiate both the Town of Riverhead and the Town of Southold's Cablevision Franchise Agreements and to equally divide the hourly legal fees incurred for matters relating to both Towns; and

WHEREAS, the Town of Riverhead and the Town of Southold have agreed to share equally any legal fees incurred as a result of work done, which is applicable to both Towns.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Law Firm of Liebowitz & Associates, P.A. to act as legal counsel in connection with the renegotiations of the Cablevision Franchise Agreement, subject to the Riverhead Town Board's approval of the payment of a portion of the legal fees incurred by Southold Town which fees represent legal work done which benefits both Towns; and be it further

RESOLVED, that the Riverhead Town Board hereby approves the attached Retainer Agreement from the Law Firm of Liebowitz & Associates, P.A.; and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute the attached Retainer Agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Law Firm of Liebowitz & Associates, P.A., Suite 1450, Suntrust International Center, One Southeast Third Avenue, Miami, Florida, 33131-1715; the Town of Southold, Attn: Greg Yakaboski, Town Attorney; the Office of the Supervisor; the Town Attorney's Office and the Office of Accounting.

THE VOTE

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

abstain

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

JOSEPH A. BELISLE  
 JORGE L. CRUZ-BUSTILLO  
 ILLA L. FELD  
 MATTHEW L. LEIBOWITZ  
 THOMAS H. WILLIAMS, JR.  
 MARK WISNIEWSKI

SUITE 1450  
 SUNTRUST INTERNATIONAL CENTER  
 ONE SOUTHEAST THIRD AVENUE  
 MIAMI, FLORIDA 33131-1715

TELEPHONE (305) 530-1322  
 TELECOPIER (305) 530-9417  
 E-MAIL Firm@broadlaw.com

## ATTORNEY-CLIENT AGREEMENT

This is to set forth the proposed agreement between the Town of Riverhead (the "Town"), New York and the Law Firm of LEIBOWITZ & ASSOCIATES, P.A.

The Law Firm is available to provide to the Town legal advice with respect to cable and telecommunications issues. In general, such services include, but are not limited to, negotiating new cable television franchises, modifications and renewals of existing franchises, providing advice and counsel with respect to transfers, drafting telecommunications ordinances (i.e., cable, telephone, satellite antenna and tower), drafting franchise agreements, negotiating tower leases, supervising technical and financial compliance audits, and representing local government's before the Federal Communications Commission ("FCC").

### *Legal Fees and Costs*

The Firm shall, in general, provide legal services to the Town in connection with cable and telecommunications at the blended hourly rate of Two Hundred Dollars (\$200.00) for all attorney time (Option A). In the alternative, at the Town's option, the Firm, as Option "B" will provide such services at the Firm's current hourly rates for individual attorneys listed below:

Matthew L. Leibowitz	\$ 450
Joseph A. Belisle	300
Illa L. Feld	275
Jorge Cruz-Bustillo	275
Thomas H. Williams, Jr.	250
Mark Wisniewski	250
Senior Paralegal	125
Junior Paralegal	85

We review and adjust our fee structure annually.

In addition to fees, Leibowitz & Associates shall be entitled to payment of all out of pocket expenses and reimbursements including, without limitation, travel outside of Miami-Dade County, Florida, long distance telephone calls, air express charges, printing and hand-delivery. Photocopies are billed at the rate of twenty five cents (\$0.25) per copy and facsimile transmissions are billed at two dollars (\$2.00) per page. Retaining of outside professionals, including but not limited to, accountants and engineers incurred as a result of the above referenced service, shall be approved by the Town prior to being incurred and shall be billed to the Town at cost.

We bill on a monthly basis for work performed and costs incurred. Each statement will reflect service rendered through the twenty-fifth (25<sup>th</sup>) day of the month. All sums due and costs incurred are due and payable upon receipt of our invoice and shall accrue interest if outstanding. All sums due for services performed will be billed monthly. A late charge of one-half percent (1½%) per month will be charged on amounts due and payable for more than thirty (30) days.

If any statement is not paid within sixty (60) days, we reserve the right to discontinue legal services. However, we will not discontinue services without giving you prior notice, suggesting employment of other counsel, allowing reasonable time to employ other counsel, delivering all papers and property to which you are entitled and which we are obligated to deliver, and cooperating with counsel subsequently employed to ensure that your interests will not be prejudiced by the discontinuance. If necessary, we will employ collection services to ensure payment of overdue accounts, which shall be litigated exclusively in the appropriate state court having subject matter jurisdiction, and venue shall be in Miami-Dade County, Florida.

Either party may terminate this Agreement without cause with three (3) days prior written notice, provided that the Firm shall be paid for services rendered through the date of termination.

Please acknowledge your understanding of and willingness to abide by this Agreement by signing that attached copy in the space provided and returning it to our office.

Sincerely,



Matthew L. Leibowitz

Town of Riverhead, New York  
hereby agrees to retain the Law Firm of  
LEIBOWITZ & ASSOCIATES, P.A.,  
pursuant to Option \_\_\_\_\_ described above.

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

2/6/01

# Tabled

# Adopted

Town of Riverhead

2/20/01

Resolution #172

Authorizes Transfer of Properties to Long Island Partnership Housing Development Fund Company, Inc.

Councilman COUNCILMAN CARDINALE offered the following resolution,

which was seconded by Councilman COUNCILMAN LULL :

**WHEREAS**, the Town of Riverhead has acquired four parcels in the Millbrook Gables community; and

**WHEREAS**, the Long Island Partnership Housing Development Fund Company, Inc. has acquired a three acre parcel adjacent to said community on which it intends to construct 13 single family homes for sale to first-time homebuyers; and

**WHEREAS**, the Long Island Partnership Housing Development Fund Company, Inc. has requested the transfer of the four separate parcels to the Long Island Partnership Housing Development Fund Company, Inc. for construction of four additional single family homes, all 17 to be subsidized by New York State or federal funds.

**THEREFORE, BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes the sale of 0600-105-2-77, 0600-105-2-72, 0600-105-2-50 and 0600-105-1-15 for \$10,000 per parcel to the Long Island Partnership Housing Development Fund Company, Inc. for construction of single family homes.

**THEREFORE, BE IT FURTHER RESOLVED**, that each deed shall contain similar subject to and reverter clauses relating to the properties use for affordable housing purposes as those provisions appear in the Suffolk County quit claim deed dated December 12, 2000 conveying one of these parcels to the town.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Deputy Town Attorney Scott DeSimone and Community Development Agency Director Andrea Lohness.

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION TO BE TABLED, WHICH AS SECONDED BY COUNCILMAN CARDINALE. ALL MEMBERS IN FAVOR OF TABLING THIS RESOLUTION

THE VOTE  
Densieski  Yes \_\_\_ No \_\_\_ Cardinalo  Yes \_\_\_ No \_\_\_  
Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Kozakiewicz  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS \_\_\_ WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

TOWN BOARD MEETING OF FEBRUARY, 2001  
COUNCILMAN CARDINALE OFFERED RESOLUTION TO BE BROUGHT OFF THE TABLE, SECONDED BY COUNCILMAN LULL.

# Tabled

# Adopted

2/6/2001

TOWN OF RIVERHEAD  
Resolution # 173  
Date 2/6/2001

## REFERS CHANGE OF ZONE PETITION OF TANGER MANUFACTURERS OUTLET CENTER TO THE RIVERHEAD PLANNING BOARD

COUNCILMAN LULL

offered the following resolution, which

was seconded by COUNCILMAN KENT.

WHEREAS, Peter Danowski, Esq. did, on behalf of the Tanger Manufacturers Outlet Center, submit a change of zone petition to the Riverhead Town Board to amend the text of the Manufacturers Outlet Zoning Use District to provide for "movie theater" as a permitted use; and

WHEREAS, the Riverhead Town Board has carefully considered the merits of the petition, the SEQRA record created to date, as well as all the relevant planning, zoning and environmental information.

THEREFORE, BE IT

RESOLVED, that in the matter of the change of zone petition of Tanger Manufacturers Outlet Center to amend the Manufacturers Outlet Zoning Use District to provide for "movie theater" as a permitted use, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Type I Pursuant to 6NYCRR Part 617; and

BE IT FURTHER

RESOLVED, that the Town Clerk refer the petition to the Riverhead Planning Board for its report and recommendation pursuant to section \_\_\_ of the Riverhead Zoning Ordinance.

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be transmitted to Peter Danowski as the attorney for the applicant.

**THE VOTE**

Densieski  Yes \_\_\_ No \_\_\_    Cardinale  Yes \_\_\_ No \_\_\_

Kent  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_

Kozakiewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

**THEREUPON DULY ADOPTED**

STATUS Adopted

## TOWN OF RIVERHEAD

Resolution # 174

AMENDS RESOLUTION # 989-2000  
REQUESTING LAND ACQUISITION  
FOR RECREATION PURPOSESCouncilman Densieski offered the following resolution,which was seconded by Councilman Lull

WHEREAS, the Town Board of the Town of Riverhead wishes to amend Riverhead Resolution Number 989-2000, which incorrectly identified properties adjacent to Stotsky Park on Columbus Avenue in Riverhead; and

WHEREAS, The Town of Riverhead has an opportunity to enhance its recreational facilities at Stotsky Park through the acquisition, through Suffolk County Greenways Funds, of properties, identified as Suffolk Tax Map Number 0600-125-1-5.2 and 060-125-1-10.001 on the east side of Columbus Avenue in Riverhead, totaling 9.4 acres; and

WHEREAS, it is the understanding of the Town Board of the Town of Riverhead that this land request acquisition does not include any wetlands areas; and

WHEREAS, all other terms and conditions set forth in Resolution 898-2000 shall remain in full force and effect.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead does and hereby amend Riverhead Resolution Number 989-2000 to

request that the County of Suffolk acquire the parcels identified on the Suffolk County Tax Map as District 0600, Section 125, Block 01, Lot 010.001 and District 0600, Section 125, Block 01, Lot 005.002, pursuant to Section 12A-1(A) (2) of the SUFFOLK COUNTY CHARTER for use of active parklands under the Suffolk County Community Greenways Program.

### THE VOTE

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

COUNCILMAN LULL offered the following Resolution which was seconded by  
COUNCILMAN KENT

FUND NAME		CD - 4/16/01	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 5,800,000.00	\$ 34,364.59	\$ 5,834,364.59
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ 15,000.00	\$ -	\$ 15,000.00
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ 10,000.00	\$ -	\$ 10,000.00
RECREATION PROGRAM	006	\$ 28,500.00	\$ -	\$ 28,500.00
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ 20,000.00	\$ -	\$ 20,000.00
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ 200.00	\$ 200.00
EDZ FUND	030	\$ -	\$ -	\$ -
HIGHWAY	111	\$ 1,000,000.00	\$ 9,311.13	\$ 1,009,311.13
WATER	112	\$ 2,425,000.00	\$ 30,627.16	\$ 2,455,627.16
REPAIR & MAINTENANCE	113	\$ 590,000.00	\$ -	\$ 590,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 1,300,000.00	\$ 120.68	\$ 1,300,120.68
REFUSE & GARBAGE COLLECTION	115	\$ 625,000.00	\$ 1,432.51	\$ 626,432.51
STREET LIGHTING	116	\$ 345,000.00	\$ 433.21	\$ 345,433.21
PUBLIC PARKING	117	\$ 145,000.00	\$ -	\$ 145,000.00
BUSINESS IMPROVEMENT DISTRICT	118	\$ 35,000.00	\$ 2,557.16	\$ 37,557.16
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 125,000.00	\$ -	\$ 125,000.00
CALVERTON SEWER DISTRICT	124	\$ 85,000.00	\$ 5,667.50	\$ 90,667.50
WORKER'S COMPENSATION FUND	173	\$ 870,000.00	\$ 1,981.98	\$ 871,981.98
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	176	\$ 200,000.00	\$ 1,842.50	\$ 201,842.50
UNEMPLOYMENT INSURANCE FUND	176	\$ 2,000.00	\$ -	\$ 2,000.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 5,000.00	\$ 5,000.00
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 20,000.00	\$ -	\$ 20,000.00
SEWER DISTRICT DEBT	382	\$ 45,000.00	\$ -	\$ 45,000.00
WATER DEBT	383	\$ 125,000.00	\$ 5,000.00	\$ 130,000.00
GENERAL FUND DEBT SERVICE	384	\$ -	\$ 195,000.00	\$ 195,000.00
SCAVENGER WASTE DEBT	385	\$ 100,000.00	\$ -	\$ 100,000.00
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 6,764.46	\$ 6,764.46
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 30,000.00	\$ -	\$ 30,000.00
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 175,000.00	\$ 6,809.94	\$ 181,809.94
MUNICIPAL GARAGE	626	\$ 10,000.00	\$ -	\$ 10,000.00
TRUST & AGENCY	*735*	\$ -	\$ 11,050,311.25	\$ 11,050,311.25
SPECIAL TRUST	736	\$ 150,000.00	\$ -	\$ 150,000.00
COMMUNITY PRESERVATION FUND	737	\$ 190,000.00	\$ -	\$ 190,000.00
CDA-CALVERTON	914	\$ -	\$ 46,940.70	\$ 46,940.70
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ 75,000.00	\$ 4,126.68	\$ 79,126.68
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 14,540,500.00	\$ 11,408,491.45	\$ 25,948,991.45

\*\*FUND 735 INCLUDES 2000-2001 SCHOOL/TOWN TAXES OF \$11,050,000

**THE VOTE**  
 Denstedt  Yes  No  Cardinale  Yes  No  
 Kent  Yes  No  Jell  Yes  No  
 Kozakiewicz  Yes  No  
**THE RESOLUTION WAS  WAS NOT**   
**THEREUPON DULY ADOPTED**

COUNCILMAN LULL COUNCILMAN KENT		offered the following Resolution which was seconded by		
FUND NAME		CD - NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 833,846.91	\$ 833,846.91
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ 90.00	\$ 90.00
RECREATION PROGRAM	006	\$ -	\$ 242.21	\$ 242.21
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	026	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 3,163.43	\$ 3,163.43
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ 1,312.20	\$ 1,312.20
HIGHWAY	111	\$ -	\$ 113,026.24	\$ 113,026.24
WATER	112	\$ -	\$ 67,082.73	\$ 67,082.73
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 56,266.43	\$ 56,266.43
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 7,392.70	\$ 7,392.70
STREET LIGHTING	116	\$ -	\$ 10,900.09	\$ 10,900.09
PUBLIC PARKING	117	\$ -	\$ 6,668.14	\$ 6,668.14
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 737.93	\$ 737.93
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 370.78	\$ 370.78
CALVERTON SEWER DISTRICT	124	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ -	\$ -	\$ -
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	176	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 739.32	\$ 739.32
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 49,610.36	\$ 49,610.36
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 6,546.91	\$ 6,546.91
SENIORS HELPING SENIORS	453	\$ -	\$ 1,524.87	\$ 1,524.87
EISEP	454	\$ -	\$ 1,063.10	\$ 1,063.10
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 3,656.78	\$ 3,656.78
MUNICIPAL GARAGE	626	\$ -	\$ 14,685.52	\$ 14,685.52
TRUST & AGENCY	*736*	\$ -	\$ 5,160,195.96	\$ 5,160,195.96
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 166,958.88	\$ 166,958.88
COMMUNITY DEVELOPMENT AGENCY	916	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 23,621.60	\$ 23,621.60
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 6,518,569.09	\$ 6,518,569.09

\*\*FUND 736 INCLUDES 2000-2001 SCHOOL/TOWN TAXES OF \$4,336,000

COUNCILMAN LULL		offered the following Resolution which was seconded by		
COUNCILMAN KENT				
FUND NAME		CD - 1/31/01	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 1,800,000.00	\$ 42,439.82	\$ 1,842,439.82
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ 14,000.00	\$ 14,000.00
POLICE ATHLETIC LEAGUE	004	\$ 8,000.00	\$ -	\$ 8,000.00
TEEN CENTER	005	\$ 5,500.00	\$ -	\$ 5,500.00
RECREATION PROGRAM	006	\$ 30,000.00	\$ 317.00	\$ 30,317.00
SR NUTRITION SITE COUNCIL	007	\$ 1,600.00	\$ -	\$ 1,600.00
D.A.R.E. PROGRAM FUND	008	\$ 2,000.00	\$ -	\$ 2,000.00
CHILD CARE CENTER BUILDING FUND	009	\$ 26,000.00	\$ 553.68	\$ 26,553.68
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	026	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ 100.00	\$ 100.00
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ 430.00	\$ 430.00
HIGHWAY	111	\$ 550,000.00	\$ 384,290.69	\$ 934,290.69
WATER	112	\$ 340,000.00	\$ 289,021.28	\$ 629,021.28
REPAIR & MAINTENANCE	113	\$ 300,000.00	\$ -	\$ 300,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 600,000.00	\$ 131,308.36	\$ 731,308.36
REFUSE & GARBAGE COLLECTION	116	\$ 280,000.00	\$ 227,497.61	\$ 507,497.61
STREET LIGHTING	116	\$ 168,000.00	\$ 74,502.90	\$ 242,502.90
PUBLIC PARKING	117	\$ 75,000.00	\$ 20,788.88	\$ 95,788.88
BUSINESS IMPROVEMENT DISTRICT	118	\$ 62,000.00	\$ -	\$ 62,000.00
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 200,000.00	\$ 2,088.81	\$ 202,088.81
CALVERTON SEWER DISTRICT	124	\$ 115,000.00	\$ 50.51	\$ 115,050.51
WORKER'S COMPENSATION FUND	173	\$ 400,000.00	\$ 3,593.81	\$ 403,593.81
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	176	\$ 635,000.00	\$ -	\$ 635,000.00
UNEMPLOYMENT INSURANCE FUND	176	\$ 1,800.00	\$ -	\$ 1,800.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 229.16	\$ 229.16
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 3,000.00	\$ -	\$ 3,000.00
SEWER DISTRICT DEBT	382	\$ 2,000.00	\$ 197,856.95	\$ 199,856.95
WATER DEBT	383	\$ 240,000.00	\$ -	\$ 240,000.00
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ 80,000.00	\$ -	\$ 80,000.00
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 338,828.83	\$ 338,828.83
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 300,000.00	\$ -	\$ 300,000.00
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ 55.26	\$ 55.26
EISEP	454	\$ -	\$ 62.41	\$ 62.41
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 215,000.00	\$ 5,989.80	\$ 220,989.80
MUNICIPAL GARAGE	626	\$ 56,000.00	\$ 3,344.74	\$ 59,344.74
TRUST & AGENCY	*736*	\$ -	\$ 435,358.27	\$ 435,358.27
SPECIAL TRUST	736	\$ 660,000.00	\$ -	\$ 660,000.00
COMMUNITY PRESERVATION FUND	737	\$ 535,000.00	\$ -	\$ 535,000.00
CDA-CALVERTON	914	\$ -	\$ 101,110.30	\$ 101,110.30
COMMUNITY DEVELOPMENT AGENCY	916	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 87,269.16	\$ 87,269.16
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 7,690,900.00	\$ 2,361,088.23	\$ 10,051,988.23

\*\*FUND 736 INCLUDES 2000-2001 SCHOOL/TOWN TAXES OF \$390,000

02/06/01

# Adopted

TOWN OF RIVERHEAD

Resolution # 176

**AUTHORIZES THE TOWN ATTORNEY TO SUGGEST ALTERNATIVE SITES IN CONNECTION WITH INDIVIDUALIZED RESIDENTIAL ALTERNATIVE FOR THE DEVELOPMENTALLY DISABLED (GROUP HOME LIVING)**

COUNCILMAN LULL offered the following resolution, was seconded by COUNCILMAN CARDINALE :

**WHEREAS**, Aid to the Developmentally Disabled, Inc. (ADD) has submitted a letter of notification and intent to establish and operate an Individualized Residential Alternative at 1476 Roanoke Avenue, Riverhead, New York; and

**WHEREAS**, the Town Board of the Town of Riverhead has reviewed the letter of notification and intent to establish and operate an Individualized Residential Alternative at 1476 Roanoke Avenue, Riverhead, New York submitted by ADD; and

**WHEREAS**, The Town Board of the Town of Riverhead held a public hearing on the 2<sup>nd</sup> day of January 2001 at 7:10 p.m. to consider the establishment and operation of an Individualized Residential Alternative at 1476 Roanoke Avenue, Riverhead, New York; and

**WHEREAS**, as provided in § 41.34 (c)(1)(B) of the Mental Hygiene Law, the Town has 40 days after the receipt of the letter of notification and intent to suggest one or more suitable alternative sites within the Town of Riverhead which could accommodate an Individualized Residential Alternative; and

**WHEREAS**, pursuant to Town Board resolution #84 of 2001, the Riverhead Town Board suggested three alternative locations for said residence, and

**WHEREAS**, by letter dated January 26, 2000, counsel for ADD (Stein & Schonfeld, Esqs.) rejected the alternatives suggested by in resolution #84 of 2001,

**NOW, THEREFORE BE IT RESOLVED**, based upon the information provided by ADD, pursuant to Mental Hygiene Law § 41.43(c)(1)(B) the Town Board hereby suggests the following additional alternative locations:

160 Middle Road, Riverhead, New York

**THE VOTE**

Densleski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Cardinale	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Kent	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Lull	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
			Kozakiewicz	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to ADD c/o Don Rieb, Executive Director, 877 East Main Street, Riverhead, New York, New York State Commissioner of Mental Health and the Office of Mental Retardation, Stein & Schonfeld, 100 Quentin Roosevelt Boulevard, Suite 509, Garden City, New York 11530, the Supervisor's Office, and Office of the Town Attorney.