

*Barbara Grattan,*  
*Town Clerk*

**TOWN BOARD MEETING  
AGENDA  
April 3, 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 March 20<sup>th</sup>, 2001,  
moved by Councilperson \_\_\_\_\_, seconded  
by Councilperson \_\_\_\_\_.

## REPORTS

Tax Receiver: Total Collections to date: \$36,618,620.03  
Utility Collections Report for March, 2001-\$173,543.94

Town Clerk: Monthly Report for March, 2001  
Total Collections: \$8633.62

Sewer Dept.: Discharge Monitoring Report for February, 2001.  
Recreation Dept.: Monthly Report for Feb. 2001-Total Collected: \$4,007.00

## APPLICATIONS

Site Plans: East Riverhead Equities-Install temporary office trailers,  
(4) permanent storage sheds & airlock at entrance to Dept.  
of Social Services building.

Amended Site Plan for Atlantis Marine World (Discovery Mast)

84 Lumber Company-Construct a 60x100 storage shed, expand  
yard and expand parking.

400 West Main Street-convert ground floor from office space  
to a (15) car parking garage.

Shows & Exhibition Permits: Wading River Civic Association-05/06/01-Parade &  
Craft fair.

Tanger Outlet Center-May 3,4,5,6,25,26,27,28,  
July 2,3,4,5-Tent Sales, CSH Garden Festival, Memorial Day  
Tent Sale, July 4<sup>th</sup> Tent Sale.

## APPLICATIONS CONTINUED:

East End Arts Council-Community Mosaic Street  
Painting Festival-May 27,2001-Rain Date: May 28, 2001.

Parade Permits: Agricultural Heritage Festival-Sept. 9, 2001 @ 12:00 p.m.  
Ride for Life,Inc. -April 30, 2001 @ 8:00 a.m.

## CORRESPONDENCE

Mike Spindler: Re: Open to the public airport at Calverton.  
Re: The lack of operating procedures for the runway at Calverton

Nicolas DiPierro: Re: Commending the Town Board on their recent decision  
About the former Grumman/Navy owned site.

Jamesport Fire Dist.: Re: Preliminary Site Plan of Nextel of New York  
Has no comment at this time.

Petition: Northeast Motorsports-3,402 signatures in support of.

## COMMITTEE REPORTS

## **PUBLIC HEARINGS**

- 7:05 p. m.** Altitude Express d/b/a Skydive Long Island should be designated the "qualified and eligible sponsor".
- 7:10 p.m.** The Change of Zone Tanger Movie Theatre
- 7:15 p.m.** The Special Permit Petition of Demir Petroleum, Inc.
- 7:20 p.m.** The Purchase of Development Rights of Agricultural Lands owned by Alan & Teresa Zilnicki and James Stark.
- 7:25 p.m.** The Purchase of Development Rights of Agricultural Lands owned by AMP Inc.
- 7:30 p.m.** The Purchase of Development Rights of Agricultural Lands owned by Vernon F. Wells, Jr and Patricia Wells.
- 7:35 p.m.** The Purchase of Development Rights of Agricultural Lands owned by Vernon F. Wells, Jr.
- 7:40 p.m.** The Purchase of Development Rights of Agricultural Lands owned by Craig Wells.
- 7:45 p.m.** The Purchase of Development Rights of Agricultural Lands owned by Vernon F. Wells, Jr., et al.
- 7:55 p.m.** The Purchase of Development Rights of Agricultural Lands owned by Vernon F. Wells, Jr.

**PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:**  
**Community Development Agency:**

**#9** Authorizes Chairman to Execute License Agreement with South Bay Apparel

**Regular Town Board Meeting:**

**#321** Authorizes The Town of Riverhead to Secure, Demolish or Remove Unsafe Foundation Pursuant to Chapter 54 of the Riverhead Town Code (Ralph Naso, 4600 Middle Country Road, Calverton)

**#322** Rescinds Resolution #254 of 2001 (Authorizing to Publish and Post Public Hearing Notice on Property Owned by Craig Wells, Sound Avenue, Aquebogue)

**#323** Amends Resolution #1-2001

**#324** Appoints Interpretation Consultant for Police Department and Justice Court

**#325** Appoints Recreation Aide to the Riverhead Recreation Department (Brenda Manfredi)

**#326** Appoints Recreation Aide to the Riverhead Recreation Department (Jennifer Therrien)

**#327** Appoints Recreation Aide to the Riverhead Recreation Department (Jaime McKenna)

**#328** Appoints Recreation Aide to the Riverhead Recreation Department (James MacLeod)

**#329** Appoints Recreation Aide to the Riverhead Recreation Department (Laura Qualey)

**#330** Appoints Recreation Aide to the Riverhead Recreation Department (Lisa Lindsey)

**#331** Appoints Part Time Clerk Typist in the Nutrition Department (Marie Vigliotti)

**#332** Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Assessment Clerk

- #333** Amends Special Permit of Sound Housing, LLC.
- #334** Amends Site Plan of The Woods at Cherry Creek
- #335** Approves Site Plan of New York SMSA Limited Partnership
- #336** Approves Phased Site Plan of The All Saints Greek Orthodox Church
- #337** Animal Shelter Donation Fund Budget Adjustment
- #338** Landfill Capping and Closure Capital Project Budget Adjustment
- #339** Various Capital Project Budget Adjustments
- #340** 39 Patti Lane Chapter 96 Capital Project Budget Adoption
- #341** 22 Lewis Street Chapter 96 Capital Project Budget Adjustment
- #342** 406 Fishel Avenue Ext. Chapter 96 Capital Project Budget Adjustment
- #343** 432 East Avenue Ext. Chapter 96 Capital Project Budget Adjustment
- #344** 247 Overlook Drive Chapter 54 Project Budget Adjustment
- #345** Delores Avenue Chapter 96 Capital Project Budget Adjustment
- #346** Authorizes Town Clerk to Advertise for Bids- RWD 99-53- Calverton Enterprise Park, Contract No. 6- Water Tower Removal
- #347** Authorizes Town Clerk to Advertise for Bids- Calverton Enterprise Park, Contract No. 6- Water Tower Removal
- #348** Authorization to Publish Bid for Beach Snack Vendors
- #349** Authorization to Publish Bid for Diesel Maintenance for the Town of Riverhead Water Department
- #350** Authorization to Publish Bid for Well & Pump Service

- #351** Authorization to Publish Bid for Two (2) Year 2002 2WD Utility Trucks
- #352** Awards Bid for Diesel Fuel
- #353** Awards Bid for Stotzky Park All Children's Playground Improvements
- #354** Approves Application of East End Arts & Humanities Council, Inc.
- #355** Approves Application of Wading River Civic Association (Duck Pond Day)
- #356** Accepts Performance Bond of Wading Woods Associates, LLC
- #357** Accepts Security Bond of Nextel of New York, Inc. d/b/a Nextel Communications
- #358** Accepts Performance Bond of McDonald's Corporation (WR)
- #359** Accepts Assignment of S.C.N.B. Passbook of Zoumas Contracting Corp. (Park, Playground & Rec Fees- "The Meadows at Aquebogue")
- #360** Authorizes Attendance at Conference
- #361** Authorizes Attendance of a Police Lieutenant to FBI Academy
- #362** Approves Request for Leave of Absence (J. Bray)
- #363** Accepts Resignation of Detention Attendant in the Police Department (S. Lilimpakis)
- #364** Accepts Resignation of School Crossing Guard in the Police Department (A. Layton)
- #365** Authorizes Supervisor to Execute Amendment to Local Waterfront Revitalization Plan (LWRP) Agreement
- #366** Authorizes Supervisor to Execute Contract with the Hastings Design Group

- #367** Authorizes the Filing of an Application for New York State Assistance (HHW) State Assistance Program and Signing of the Associated State Contract, Under the Appropriate Laws of the State of New York
- #368** Authorizes Publication of Notice
- #369** Establishes Handicapped Advisory Board
- #370** Authorizes Town Clerk to Publish and Post Notice of Public Hearing- Change of Zone and Special Permit of Reliance Leasing, Inc.
- #371** Adopts a Local Law to Amend Chapter 101 Entitled, "Vehicles & Traffic" of the Riverhead Town Code (Stop Signs- Middle Road)
- #372** Authorizes Town Clerk to Post and Publish Public Notice of Public hearing to Consider a Proposed Local Law for an Amendment of Chapter 108 (Zoning) of the Riverhead Town Code (Off Street Parking)
- #373** Order Calling Public Hearing- Extension 57 to The Riverhead Water District- South Twomey Avenue
- #374** Changes Employment Status of Deputy Town Attorneys
- #375** Approves the Application of Tanger Outlet Center, Inc.
- #376** Authorizes Valerie Marvin, Esq. as Hearing Officer in the Matter of a Disciplinary Proceeding Against a Town Employee
- #377** Classifying the Town of Riverhead's Pilot Reclamation/Capping Project at the Young's Avenue Landfill in Accordance with the State Environmental Quality Review Act (SEQRA)
- #378** Authorizes the Supervisor to Execute an Agreement Between Town of Riverhead Ambulance District and the Riverhead Volunteer Ambulance Corps., Inc.
- #379** Appoints Members to the Board of Trustees of Riverhead Theatre Corporation
- #380** Bond Resolution Authorizing the Issuance of \$5,900,000 Serial Bonds of the Town of Riverhead, Suffolk County, New York to Pay the Cost of a Phase I Pilot Project for the Capping and/or Reclamation of the Youngs Avenue Landfill, in and for Said Town
- #381** Pays Bills

Authorizes Chairman to Execute License Agreement with South Bay Apparel

Member COUNCILMAN DENSIESKI offered the following resolution.

which was seconded by COUNCILMAN KENT

WHEREAS, South Bay Apparel has requested a license agreement for 23,477 square feet in Buildings 06-52, 53, 54 for up to six months; and

WHEREAS, the Town Board desires to encourage additional jobs and revenue to the Town pending closing on the property by the Buyer; and

WHEREAS, this Town Board has balanced such interests and hereby makes the following findings:

1. The proposed license agreements are of short duration;
2. That proposed uses under the license agreements are consistent with the objectives of the Town's Zoning Ordinance;
3. There is a clear mutuality of purpose and goals in this action being that the same elected representatives serve as members of the CDA and the Town Board; and

WHEREAS, the CDA will realize net income of at \$5.50 per square foot of \$10,760.29 per month for 23,477 square feet in Buildings 06-52, 53, 54 during the license period.

THEREFORE, BE IT RESOLVED, that the CDA hereby authorizes the Chairman to execute the license agreement substantially in the form attached hereto.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss.

The Vote:

Member Densieski	<u>yes</u>
Member Cardinale	<u>absent</u>
Member Kent	<u>yes</u>
Member Lull	<u>yes</u>
Chairman Kozakiewicz	<u>yes</u>

## LICENSE

License ("License"), made as of the \_\_\_ day of March 2001, by and between the Town of Riverhead Community Development Agency, having an address at 200 Howell Avenue, Riverhead, NY 11901, Attention: Andrea Lohneiss ("Licensor") and South Bay Apparel, a corporation having an address at: P0 Box 153, Southold, NY 11971, Attention: Douglas Dey ("Licensee").

### W I T N E S S E T H

WHEREAS, Licensor desires to license to Licensee, and Licensee desires to license to Licensor, the right to use approximately 23,477 square feet in Buildings 06-52, 53, 54 and the land upon which said buildings are erected as depicted on Exhibit A (the "License Premises") located at the property formerly known as the Naval Weapons Industrial Reserve Plant, Department of Defense Number 466, Calverton, New York (the "Calverton Site"), and as more particularly shown and described on the annexed Site Plan upon all of the terms and conditions hereinafter set forth;

NOW, THEREFORE, in consideration of the mutual agreements herein contained, Licensor and Licensee, for themselves, their successors and assigns, hereby agree as follows:

1. LICENSING. Upon the terms and conditions hereafter set forth, Licensor hereby licenses to Licensee, and Licensee hereby licenses from Licensor, the right to use the License Premises.
2. TERM OF LICENSE. The term of this License (the "Term") shall commence on April 1, 2001 (the "License Commencement Date") and shall end on the earlier of (a) September 30, 2001 and (b) the date on which the closing shall occur under that certain Agreement of Sale dated as of June 15, 1999 between Licensor and Calverton Camelot LLC. (in either case, the "Expiration Date") or such earlier date upon which this License shall expire or be canceled or terminated pursuant to any of the conditions or covenants of this License or pursuant to law. Notwithstanding anything to the contrary contained in this License, Licensor shall have the right, exercisable in its sole discretion, to terminate this License effective immediately upon written notice from Licensor to Licensee, if (i) Licensee shall default under or be in breach, of in any of its obligations, representations or warranties hereunder and (ii) such default continues for (x) five business days after written notice from Licensor with respect to monetary defaults or (y) thirty days after written notice from Licensor with respect to nonmonetary defaults. If Licensor shall so terminate this License, from and after the termination date neither party hereto shall have any rights or obligations hereunder other than those that, pursuant to the express terms hereof, survive termination of this License; provided that Licensee shall remain liable to Licensor for any default or breach by Licensee that occurred prior to such termination. Furthermore, this License is not, and shall not be construed to be, a lease or a sublease and nothing contained in this License shall be construed as granting to Licensee any interest or right as tenant

or subtenant or any other interest or right other than the interest of a Licensee in accordance with the terms and provisions hereof.

3. CONDITIONS OF LICENSE PREMISES. Licensee agrees to accept the License Premises "as is," and Licensor shall have no obligation to perform any work or repairs on behalf of Licensee. Licensee acknowledges that no representations with respect to the condition of the License Premises, or with respect to any improvement or fixtures thereon or attached thereto, have been made to it. Licensee shall be responsible for all start-up costs and expenses and for all costs and expenses associated with the operation of the License Premises, including without limitation, utility usage costs. Invoices will be provided to Licensee monthly and are to be paid within 10 days. Specifically, Licensee must install electric and steam meters and incur other start-up costs, including but not limited to reactivation of sprinklers, including quarterly testing, as required by the Riverhead Fire Marshall, and reactivation of bathrooms. Licensee is responsible for connection of building to municipal water including design, inspection and key money.
4. SECURITY DEPOSIT. Licensee shall deposit with Licensor on the date hereof an amount equal to \$10,760.29 as security for the faithful performance and observation by Licensee of the terms, conditions and provisions of this License. If a default shall occur and be continuing hereunder, Licensor may apply or retain the whole or any part of the security so deposited to the extent necessary to cure such default. Upon termination of this License, Licensor shall return to Licensee such deposit, less any amounts to which Licensor is entitled pursuant to the terms hereof.
5. LICENSE FEE. Licensee shall pay to Licensor, in accordance with Section 6 hereof (a) on the date hereof an amount equal to \$32,280.87 and (b) on the first business day of each month commencing with July 1, 2001, an amount equal to \$10,760.29 (all of the amounts to be paid by Licensee hereunder, collectively, the "Fee"). In the event that the Term shall terminate on a day other than the last day of a calendar month or in the event that the Term shall terminate prior to June 30, 2001, Licensor and Licensee shall equitably prorate the amount of the Fee actually paid to Licensor for such period.

Licensee covenants and agrees that in no event shall Licensee permit any motor Vehicle to (1) enter the Calverton Site other than through the Access Point (as defined below) or (2) park anywhere other than in the parking area depicted on Exhibit A attached here (the "Parking Area"). Licensee shall be solely responsible for keeping the Parking Area free and clear of debris and snow.

6. PAYMENT. The Fee and all other charges, costs and expenses payable by Licensee under this License shall be paid by certified check payable to the order of the Town of Riverhead Community Development Agency and delivered to Andrea Lohneiss at the address provided for Licensor in the preamble to this License, without notice or demand therefor (except to the extent otherwise expressly provided herein) and without any deduction, credit, set-off, counterclaim or abatement whatsoever in

every case in which Licensee is required to pay Licensor a sum of money and said sum (or any portion thereof) is not Paid when due, interest at an annual rate of 12% shall be payable on such sum (or so much thereof as shall be unpaid) from the date said sum becomes due until the date the unpaid amount is paid.

7. USE: COVENANTS. (a) Licensee shall use the License Premises only for the finishing, storage and shipping of clothing (the "Uses") to prepare the License Premises for the same and to clean and restore the License Premises, in each case, in accordance with, and subject to, the terms and provisions of this License. Licensee shall be responsible for compliance with local zoning and for obtaining all permits necessary to conduct its business. Specifically, Licensee shall apply for and obtain a use permit from the Town of Riverhead and site plan approval from the Town Board prior to execution of this agreement. Licensee covenants that no treated lumber is to be stored outside the building, prior to the completion of the improvements shown on the filed site plan.
- (b) Licensee, at its own cost and expense, shall protect, maintain, and keep in good order, the License Premises.
- (c) No additions to, or alterations of, the License Premises shall be made without the prior consent of Licensor or in violation of any applicable building codes, except in accordance with the Site Plan as filed. Upon revocation or surrender of this License, to the extent directed by Licensor, Licensee shall remove all alterations, additions, betterments and improvements made, or installed, and restore the License Premises to the same, or as good condition as existed on the date of entry under this License, reasonable wear and tear excepted.
- (d) Licensee shall be liable for any loss of, or damage to, the Calverton Site incurred in connection with the Uses and shall make restoration or repair, or monetary compensation as may be directed by Licensor. Licensee shall maintain, at a minimum, the types and amounts of insurance evidenced by the certificates attached hereto as Exhibit B. Licensee agrees that not less than thirty (30) days prior to the expiration of any insurance required by this License, it will deliver to Licensor's local representative a certificate of insurance or a certified copy of each renewal policy to cover the same risks. Each policy of insurance required hereunder shall name Licensor "Town of Riverhead Community Development Agency" and "Grubb & Ellis Management Services, Inc." as additional insureds. In the event that any items or part of the Calverton Site shall require repair, rebuilding or replacement resulting from loss or damage, the risk of which is assumed under this Section 7, Licensee shall promptly give notice thereof to Licensor and shall, upon demand, either compensate Licensor for such loss or damage, or rebuild, replace or repair the item or items of the Calverton Site so lost or damaged, as Licensor may elect. In the event Licensee shall not have been required to effect such repair, rebuilding, or replacement, and the insurance proceeds allocable to the loss or damage that has created the need for such repair, rebuilding or replacement have been paid to Licensee, Licensee shall promptly refund to Licensor the amount of such proceeds.

hereby covenants and agrees that Licensee shall provide ample vehicles, personnel, equipment and containers to clean the License Premises and insure that the same is restored to as good condition, subject to reasonable wear and tear, on the Expiration Date as it was in on the License Commencement Date.

(f) In connection with the performance of work under this License, Licensee agrees not to discriminate against any employee or applicant for employment because race, religion, color or national origin. The aforesaid provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship. Licensee agrees to post hereafter in conspicuous places available for employees and applicants for employment, notices to be provided by Licensor setting forth the provisions of the nondiscrimination clause. Licensee further agrees to insert the foregoing in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials.

(g) Licensor shall have the sole authority to determine what entity or entities shall provide the following services to the Calverton Site: any and all telecommunications products and services including but not limited to telephone, intellipath, ISDN, data circuits, satellite communications services, fiber, cable, electric and water. Licensee shall not install or contract for the installation of any of the foregoing services without the express written consent of the Licensor.

8. **ASSIGNMENT AND LICENSING.** Notwithstanding anything to the contrary contained in this License, Licensee shall not assign this License, License the License Premises in whole or in part or permit Licensee's interest in this License to be vested in any party other than Licensee by operation of law or otherwise. A transfer of more than fifty (50%) at any one time or, in the aggregate from time to time, of the stock, partnership or other ownership interests in Licensee, direct or indirectly shall be deemed to be an assignment of this License.
9. **LICENSOR'S REMEDIES.** (a) If Licensee fails to perform any of its obligations hereunder in accordance with the terms hereof, then, after reasonable notice to Licensee not to exceed thirty (30) days, and an opportunity for Licensee to cure such failure, (except in case of emergency) Licensee may (but shall not be obligated to) cure such failure at the expense of Licensee, and the amount incurred by Licensor in connection with such cure shall be payable by Licensee to Licensor on demand.
- (b) Except as provided in Section 2 and in the immediately following sentence, in the event of a breach by Licensee hereunder, Licensor shall be limited to an action at law for damages. Notwithstanding the foregoing, in the event that Licensee holds over after the expiration of the Term, (i) Licensee shall be obligated to pay Licensor an amount equal to \$1,000 per diem for each day of the holdover term and (ii) Licensor

shall have all of the rights and remedies available to it at law or in equity, including, without limitation, the right to exercise self help and to dispossess Licensee of the License Premises, change the locks on the License Premises, deny Licensee access to the License Premises and take possession of or dispose of any property at the License Premises, all at the cost and expense of Licensee. Except as provided in Section 2, in no event shall Licensor have the right to enjoin Licensee's performance of the Uses.

10. INDEMNITY. (a) Licensee shall indemnify and hold Licensor harmless from and against any and all claims, actions, liabilities, losses, damages (including, without limitation, consequential and special damages), costs and expenses (including, without limitation, court costs and reasonable attorneys' fees and expenses) arising from or in connection with (i) the use or occupancy by Licensee of the License Premises during the term hereof, or (ii) any work or thing done or any condition created by or any other act or omission of Licensee or its employees, agents, contractors, visitors or licensees, in the License Premises or any other part of the Calverton Site in connection with Licensee's use of the License Premises, or (iii) Licensee's failure to perform any of the obligations imposed on it hereunder, which have not been wired within the applicable notice period.

(b) The foregoing indemnity does not include any claims, actions, liabilities, losses, damages, costs and expenses resulting from Licensor's gross negligence or willful misconduct.

11. Brokers. Licensee represents that it has not dealt with any broker or finder other than Grubb & Ellis with respect to this License. Licensee agrees to indemnify and hold Licensor harmless from and against any and all loss, liability, damage, cost and expense (including, but not limited to, court costs and reasonable attorneys' fees and expenses) which Licensor may incur or sustain in connection with any claim or action by any broker or finder that may be asserted against Licensor as a result of any conversations, correspondence or other dealings between Licensee and such broker or finder.

12. NOTICES. Any notices to be given under this License shall be in writing and shall be sent by registered or certified mail, return receipt requested. If such notice is directed to Licensee, it shall be addressed to Licensee at: P0 Box 153, Southold, NY 11971, Attention: Douglas Dey, and if such notice is directed to Licensor, it shall be addressed to Licensor at 200 Howell Avenue, Riverhead, New York 11901, Attention: Andrea Lohneiss. Either party may, by notice in writing, direct that future notices be sent to a different address and to the attention of such other people as either Licensor or Licensee shall designate.

13. HAZARDOUS SUBSTANCES. (a) Generally. Licensee shall not generate, store, manufacture, refine, transport, treat, dispose of, or otherwise permit to be present on or about the License Premises, any Hazardous Substances (other than Hazardous Substances (x) customarily used in events such as the Event and (y) used, stored, transported, and disposed of in strict compliance with applicable law). As used herein, the term "Hazardous Substances" shall mean any flammables, explosives,

radioactive materials, hazardous wastes, hazardous and toxic substances or related materials, asbestos or any materials containing asbestos, or any other hazardous or toxic substance or material as defined by any Federal, State or local environmental law, rule or regulation, including, without limitation, the Resource Conservation and Recovery Act of 1976, as amended from time to time, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended from time to time, the Toxic Substances Control Act, as amended from time to time, the Hazardous Materials Transportation Act, as amended from time to time, and the regulations adopted and the publications promulgated pursuant to each of the foregoing.

- b. In addition to the foregoing, (A) Licensee hereby agrees to comply at all times with and to cause the License Premises to be in compliance at all times with the Suffolk County Health Department Regulations and (B) Licensee shall file for a fire prevention permit and hazardous material permit from the Town of Riverhead.
  - c. Indemnification. Licensee shall indemnify and hold harmless Licensor from and against any and all liabilities, damages, claims, losses, penalties, judgments, causes of action, costs and expenses (including, without limitation, court costs and the reasonable fees and expenses of counsel) which may be incurred by Licensor directly arising out of any breach by Licensee of the obligations imposed upon it under this Section 13. The foregoing indemnity shall survive the expiration or sooner termination of this License.
14. CROSS-DEFAULT. To the extent that the Licensor and the Licensee are parties to any other similar agreements, any default under such similar agreements shall be deemed to be a default under this License, and any default under such similar agreements.
15. MISCELLANEOUS. (a) Merger. All prior understandings and agreements between the parties with respect to the subject matter hereof are merged within this License, which alone fully and completely sets forth the understanding of the parties with respect to the subject matter hereof. This License may not be changed or terminated orally or in any manner other than by a writing signed by the party against whom enforcement of the change or termination is sought.
- (b) Successors and Assigns. This License shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and permitted assigns. The term "Licensor," as used in this License, shall mean only the owner from time to time of the License Premises, so that in the event of any transfer or assignment of the License Premises, the transferor or assignor shall be and hereby is entirely freed and relieved of all covenants, obligations and liability of Licensor under this License, and it shall be deemed, without further agreement, that the transferee or assignee has assumed and agreed to perform and observe all obligations of Licensor under this License during the period that such transferee or assignee is the owner of the interest of License Premises.

(c) Licensee represents that this License has been duly authorized, executed and delivered by Licensee and is enforceable against Licensee in accordance with its terms.

(d) Neither Licensor nor any tenant, nor other party now or hereafter having an interest in the Calverton Site, shall have any right of action based upon invasion of privacy, publicity, defamation, or other civil rights, in connection with the exercise of the permission and/or rights herein granted. Notwithstanding the foregoing, Licensee shall not use the name "Calverton" or "Riverhead", or any signage containing such names, and shall not use the names, pictures, or likenesses of any officials or employees of the Town of Riverhead in connection with or production of the "use" hereunder without the prior consent of Licensor, which consent shall not be unreasonably withheld or delayed.

LICENSOR:

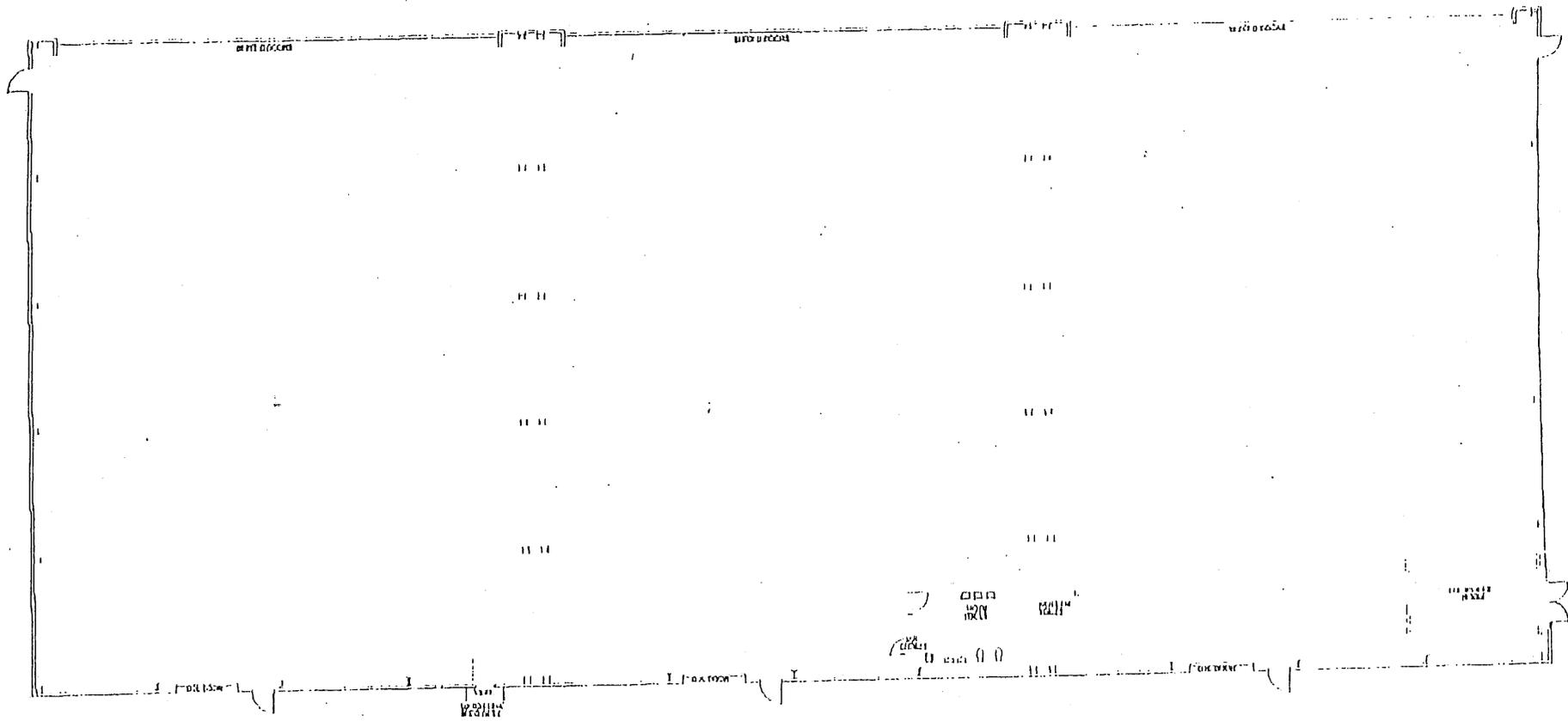
THE TOWN OF RIVERHEAD COMMUNITY  
DEVELOPMENT AGENCY

By: \_\_\_\_\_  
Name:  
Title:

LICENSEE:

SOUTH BAY APPAREL

By: \_\_\_\_\_  
Name:  
Title:



BLDG 006-52,53,54

EXHIBIT B

Insurance Certificates:

Liability - minimum \$1 million per occurrence

Fire Damage legal - \$100,000 minimum

Auto liability - minimum \$1 million per occurrence

Building contents - as desired

Worker's compensation - as required by law

Note: The conditions of Paragraph 7 (d) regarding additional insureds, 30 day notification etc., must be complied with and reflected in the Certificate of Insurance provided by the Licensee prior to execution of the License.

TOWN OF RIVERHEAD

**Adopted**

Resolution # 321

AUTHORIZES THE TOWN OF RIVERHEAD TO SECURE, DEMOLISH OR REMOVE UNSAFE FOUNDATION PURSUANT TO CHAPTER 54 OF THE RIVERHEAD TOWN CODE (RALPH NASO, 4600 MIDDLE COUNTRY ROAD, CALVERTON)

**COUNCILMAN LULL** offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI**

WHEREAS, pursuant to Chapter 54 of the Riverhead Town Code entitled, "Unsafe Buildings and Collapsed Structures", certain land and foundation reputedly owned by Ralph Naso located at 4600 Middle Country Road, Calverton, New York 11933, known and designated as Suffolk County Tax Map #0600/097.00-01-80.00 has been determined by the Building Inspector to be unsafe and dangerous to the public;

WHEREAS, all notices pursuant to Chapter 54 of the Riverhead Town Code have been served; and

WHEREAS, a public hearing was held on the 15<sup>th</sup> day of March 2001 at 11:40 a.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice and all persons wishing to be heard were heard; and

WHEREAS, the owners have not taken any steps toward abating the conditions by repair and rehabilitation or by demolition and removal in accordance with the procedures set forth in Chapter 54 of the Riverhead Town Code.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Engineering Department to assist the Building Department in connection with any work done to remove the danger or in connection with the demolition and removal or the securing of any such foundation or structure; and be it further

RESOLVED, that pursuant to Chapter 54, Section 54-9, all actual expenses incurred by the Town of Riverhead to remove the danger or in connection with the demolition and removal of any such buildings or structures shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Ralph Naso, 4362 Middle Country road, New York 11933; Kenneth Testa, P.E., the Building Department; the Tax Receiver's Office; the Assessor's Office; the Office of Accounting and the Town Attorney's Office.

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

The Resolution Was  Was Not

Thereupon Duly Declared Adopted

04/03/2001

STATUS Adopted

TOWN OF RIVERHEAD

Resolution # 322

RESCINDS RESOLUTION #254 OF 2001 (AUTHORIZING TO PUBLISH AND POST PUBLIC HEARING NOTICE ON PROPERTY OWNED BY CRAIG WELLS. SOUND AVENUE. AQUEBOGUE)

**COUNCILMAN KENT**

offered the following resolution,

which was seconded by

**COUNCILMAN LULL**

WHEREAS, by Resolution #254 adopted on the 9<sup>th</sup> of March, 2001, the Riverhead Town Board authorized the Town Clerk to publish and post public hearing notice for consideration of demolition of building(s) owned by Craig Wells, Sound Avenue, Aquebogue, designated as Suffolk County Tax #066/020.00-02-005.00; and

WHEREAS, it has been determined that such public notice is not necessary; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby rescinds Resolution #254 of 2001; and be it further

BE IT FURTHER, RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Craig Wells, RR1 P.O. Box 889, Gordon, NE 69343-9754, the Code Enforcement Officer, the Assessors Office, Town Engineer's Office, Town Attorney's Office and the Town Building Department

THE VOTE

*Absent*  
Cardinale  Yes  No      Densieski  Yes  No

Kent  Yes  No      Lull  Yes  No

Kozakiewicz  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

April 3, 2001

# Adopted

## TOWN OF RIVERHEAD

Resolution # 323

### AMENDS RESOLUTION NUMBER 1 OF 2001

COUNCILMAN DENSIESKI

offered the following resolution which

was seconded by

COUNCILMAN LULL

**WHEREAS**, by resolution number 1 of 2001, the Riverhead Town Board did approve a listing of certain planning consultant to be used during the 2001 fiscal year, and

**WHEREAS**, Nelson, Pope and Voorhis should have been included on such list, now

**THEREFORE, BE IT**

**RESOLVED**, that the Town Board amends resolution number 1 of 2001 to include the consulting firm of Nelson, Pope and Voorhis as a planning consultant to be paid for billable housing pursuant to the attached rate sheet.

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No *absent*

Kent  Yes  No    Lull  Yes  No

Kozakewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

RATE SCHEDULE

NELSON & POPE/NELSON, POPE & VOORHIS

March 27, 2000

Field Party	2 Men (Suburban Rate)	\$170.00	Hour Portal to Portal
	3 Men (Suburban Rate)	\$190.00	
Office Principal		\$150.00	
Associate		\$135.00	
Senior Engineer & Surveyor		\$120.00	
Design Engineer		\$110.00	
Hydrogeologist		\$ 95.00	
Engineer & Survey Technician		\$ 90.00	
Inspector		\$ 90.00	
Senior Environmental Analyst		\$ 88.00	
Senior Environmental Scientist		\$ 88.00	
Environmental Scientist		\$ 83.00	
Environmental Analyst		\$ 83.00	
Draftsman		\$ 80.00	
Environmental Planner		\$ 78.00	
Environmental Technician		\$ 73.00	
Typist		\$ 60.00	

4/3/01

TOWN OF RIVERHEAD

**Adopted**

Resolution # 324

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, Maria A. Rabizo, Contractor, is willing to provide the following services to the Town:

Description of Services: Language Translation – Polish  
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 Maria A. Rabizo, 302 Orchid Drive, Mastic Beach, New York, 11951; 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 Cardinalo  Yes  No  
Kent  Yes  No Lull  Yes  No  
Kozakewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

4/3/01

TOWN OF RIVERHEAD

Resolution # 325

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILMAN KENT

**RESOLVED**, that Brenda Manfredi is hereby appointed as a Recreation Aide with the working title of Sports Instructor, effective, April 9, 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.

*Albert*

**THE VOTE**

Denslestd  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakewicz  Yes  No

**THE RESOLUTION WAS  WAS NOT**

**THEREUPON DULY ADOPTED**

4/3/01

# Adopted

## TOWN OF RIVERHEAD

Resolution # 326

### APPOINTS RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL

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

which was seconded by COUNCILMAN KENT

**RESOLVED**, that Jennifer Therrien is hereby appointed as a Recreation Aide with the working title of Arts and Crafts Instructor, effective, April 9, 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** *absent*

Densold  Yes \_\_\_ No \_\_\_ Cardinale \_\_\_ Yes \_\_\_ No \_\_\_

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

Kozakewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ADOPTED

4/3/01

624  
**Adopted**

TOWN OF RIVERHEAD

Resolution # 327

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILMAN KENT

**RESOLVED**, that Jaime McKenna is hereby appointed as a Recreation Aide with the working title of Dance Instructor, effective, April 9, 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**  
Densleak  Yes  No    Cardinale  Yes  No  
Kent  Yes  No    Lull  Yes  No  
Kozakiewicz  Yes  No  
**THE RESOLUTION WAS  WAS NOT**   
**THEREUPON DULY ADOPTED**

4/3/01

TOWN OF RIVERHEAD

**Adopted**

Resolution # 328

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL

offered the following resolution,

which was seconded by COUNCILMAN KENT

**RESOLVED**, that James MacLeod is hereby appointed as a Recreation Aide, effective, April 9, 2001 to and including August 31, 2001, to be paid at the rate of \$8.50 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**

Denscheid  Yes  No    Cardinale  Yes  No *absent*

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

4/3/01

Adopted

TOWN OF RIVERHEAD

Resolution # 329

APPOINTS RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILMAN KENT

RESOLVED, that Laura Qualey is hereby appointed as a Recreation Aide with the working title of Exercise Instructor, effective, April 9, 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 *about*  
Densleki  Yes \_\_\_ No \_\_\_ Cardinale \_\_\_ Yes \_\_\_ No \_\_\_  
Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Kozakewicz  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY ADOPTED

4/3/01

# Adopted

## TOWN OF RIVERHEAD

Resolution # 330

### APPOINTS RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL

offered the following resolution,

which was seconded by COUNCILMAN KENT

**RESOLVED**, that Lisa Lindsay is hereby appointed as a Recreation Aide, effective, April 9, 2001 to and including August 31, 2001, to be paid at the rate of \$8.50 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** *absent*

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

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

Kozakewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ADOPTED

04/03/01

**Adopted**

TOWN OF RIVERHEAD

Resolution # 331

APPOINTS PART TIME CLERK TYPIST  
IN THE NUTRITION DEPARTMENT

COUNCILMAN LULL

offered the following

resolution, which was seconded by COUNCILMAN KENT

WHEREAS, due to the retirement of an employee there is a vacancy in the Nutrition Department for the position of Part Time Clerk Typist, and

WHEREAS, the position has been posted and applications were received; and

WHEREAS, it is the recommendation of the Personnel Committee that Marie Vigliotti be appointed to said position.

NOW, THEREFORE, BE IT RESOLVED, that effective April 9, 2001 the Town Board hereby appoints Marie Vigliotti to the position of Part Time Clerk Typist at an hourly rate of \$11.4203 .

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

*absent*

**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

3/01

TOWN OF RIVERHEAD

Resolution # 332

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST  
A HELP WANTED AD FOR ASSESSMENT CLERK

COUNCILMAN KENT

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

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the April 12, 2001 issue of The News Review.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Assessor's Office.

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

**HELP WANTED**

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Assessment Clerk. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY, between the hours of 8:30am and 4:30pm. Monday through Friday. No applications will be accepted after 3:30pm on Friday, April 20, 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

April 3, 2001

**TOWN OF RIVERHEAD**

Resolution # 333

**AMENDS SPECIAL PERMIT PETITION OF SOUND HOUSING, LLC**

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

**WHEREAS**, by resolution #705 of 1986, the Riverhead Town Board did approve the special permit petition of Robert Entenmann, et al. to allow the construction of a condominium development of 222 residential units and attending clubhouse and recreational facilities, and

**WHEREAS**, Sound Housing LLC did make application for the amendment of the approved special permit of Robert Entenmann in order to substitute certain recreational amenities for the twelve (12) tennis courts and tennis stadium, and

**WHEREAS**, by resolution #1032 of 2000, the Riverhead Town Board did declare themselves to be the lead agency for the petition, and

**WHEREAS**, the Town Board did refer the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending approval of the petition with certain conditions, and

**WHEREAS**, a public hearing was held on this matter on March 20, 2001, and

**WHEREAS**, the Riverhead town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Board, the report of the Planning Department, the commentary made at the relevant public hearing, as well as all other relevant planning, zoning and environmental information, now

**THEREFORE, BE IT**

**RESOLVED**, that in the matter of the special permit petition of Sound Housing, LLC, the Riverhead Town Board hereby makes the following findings:

1. That the premises is located within the Recreational Zoning Use District;
2. That by resolution #705 of 1986, the Riverhead town Board did approve a special permit to allow the construction of 222 condominium units upon the premises and further requiring the provision of recreational facilities to include the construction of twelve (12) tennis courts and tennis stadium;

3. That the current owner has filed a condominium prospectus with the Attorney General which limits recreational facilities to the construction of a clubhouse, two (2) asphalt tennis courts and a beach access stairway which are constructed;
4. That the applicant has submitted an environmental assessment form estimating the value of constructed recreational facilities to be the functional equivalent of those recreational facilities originally proposed, and

**BE IT FURTHER**

**RESOLVED**, that based upon its findings, the Riverhead town Board hereby determines the action to be Unlisted pursuant to 6NYCRR Part 617 and further approves the subject special permit petition as depicted upon the conceptual site plan as prepared by Steven Hyman, P.E. and dated September 8, 2000, subject to the following conditions:

1. The posting of a bond or equivalent security in the amount of \$175,000.00 to assure proper road, drainage and curbing construction in the previously constructed sections;
2. The submittal of a detailed landscape plan by a licensed landscape architect showing landscaping and improvements to the area previously designated tennis facility in order to create an attractive open space and drainage recharge area;
3. The submittal of a plan for redesign of the beach access eliminating steep ramps; and

**BE IT FURTHER**

**RESOLVED**, that a copy of this resolution be forwarded to Sound Housing, LLC or their agent, Building Department and Planning Department.

**THE VOTE** *absent*

Densleski  Yes  No    Cardinala  Yes  No

Kent  Yes  No    Lutz  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

Adopted

April 3<sup>rd</sup>, 2001

TOWN OF RIVERHEAD  
April 3<sup>rd</sup>, 2001  
Resolution #334

AMENDS SITE PLAN OF THE WOODS AT CHERRY CREEK

COUNCILMAN KENT

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

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, by resolution number 738 of 2000, the Riverhead Town Board did approve the site plan application of Cherry Creek Golf, Inc., to allow the construction of a golf course and cart building upon real property located at Reeves Avenue, Riverhead; and

WHEREAS, such approval resolution reserved the approval of the elevations of the proposed cart building until such time as elevation drawings were submitted to the Town; and

WHEREAS, such elevation drawings have been submitted to the Planning Department and have been reviewed and approved by the Riverhead Architectural Review Board; and

WHEREAS, the Riverhead Town Board has reviewed the elevation drawings as submitted.

NOW, THEREFORE BE IT

RESOLVED, that the Riverhead Town Board determines the action to be Type II pursuant to 6NYCRR Part 617.

BE IT FURTHER

RESOLVED, that the Town Board hereby approves the elevation drawings of Cherry Creek II cart building as prepared by James N. Keller, Architect, and dated August 31, 2000.

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Cherry Creek Golf, Inc., the Woods at Cherry Creek, LLC c/o Peter Danowski Jr., Esq., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York 11901, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Densieski  Yes  No *absent*  Yes  No

Kent  Yes  No *Cardinale*  Yes  No

Kozakiewicz  Yes  No *Lull*  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

# Adopted

February 6th, 2001

TOWN OF RIVERHEAD

Resolution # 335

**APPROVES SITE PLAN OF NEW YORK SMSA LIMITED PARTNERSHIP**

Councilman Lull offered the following resolution,  
which was seconded by Councilman Kent :

**WHEREAS**, a site plan and elevations were submitted by New York SMSA Limited Partnership d/b/a Verizon Wireless f/k/a Bell Atlantic Mobile ("NYSMSA"), for installation of equipment and appurtenances (nine (9) wireless phone antennas) and a 12' x 30' prefabricated unmanned equipment shelter at its leased area (the "Premises") located on the property at Sound Avenue, Northville, New York, known and designated as Suffolk County Tax Map Number District 0600 Section 03 Block 01 Lot 2.3; and

**WHEREAS**, the Planning Department has reviewed the site plan dated June 22<sup>nd</sup>, 2000, as prepared by Thomas Michael Petreshock, Licensed Professional Engineer, and elevations dated June 22<sup>th</sup>, 2000, as prepared by Thomas Michael Petreshock, Licensed Professional Engineer and revisions dated March 27<sup>th</sup>, 2001 as prepared by Thomas Michael Petreshock, Licensed Professional Engineer 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 18913 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 New York SMSA Limited Partnership, 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

without a significant impact upon either the natural or social environment and that an environmental impact statement need not be prepared, and

### BE IT FURTHER

**RESOLVED**, that the site plan and elevations submitted by New York SMSA Limited Partnership, for installation of equipment and appurtenances (nine (9) wireless phone antennas) and a 12' x 30' prefabricated unmanned equipment shelter on the Premises located at the property at Sound Avenue, Northville, New York, such site plan dated June 22<sup>th</sup>, 2000, as prepared by Thomas Michael Petreshock, Licensed Professional Engineer, and elevations dated June 22<sup>th</sup>, 2000, as prepared by Thomas Michael Petreshock, Licensed Professional Engineer and revisions dated March 27, 2001 as prepared by James Michael Petreshock, Licensed Professional Engineer are hereby approved by the Town Board of the Town of Riverhead, subject to the following relating to the Premises:

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 Premises 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 Premises; 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 Premises, 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 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 Amato and Associates, P.C., Attorneys at Law, 666 Old Country Road, 9<sup>th</sup> Floor, Garden City, New York 11530, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE *absent*

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 \_\_\_\_\_, 2001, made by KeySpan Gas East Corp., d/b/a/ Keyspan Energy Delivery Long Island, (hereinafter the "Declarant") with its principal offices located at 175 East Old Country Road, Hicksville, New York 11801, Declarant:

### WITNESSETH:

WHEREAS, Declarant is the owner of certain real property (hereinafter the "Property") situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as District 0600, Section 03, Block 01 Lot 2.3 on the Suffolk County Property Tax Map; and

WHEREAS, New York SMSA, Limited Partnership, has filed an application for site plan approval to the Town of Riverhead for its leased area (hereinafter the "Premises") on the Property, more particularly bounded and described as set forth in Schedule "A" annexed and made part hereof; 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 the Property, that the within covenants and restrictions be imposed on the Premises located on the Property, 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 the Property.

### 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 Premises described in Schedule "A" hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of the Premises, their heirs, executors, legal representatives, distributees, successors and assigns, only to the extent and only for the duration of New York SMSA Limited Partnership's tenancy at the Premises, 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 Premises 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 Premises; 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, KeySpan Gas East Corp., d/b/a/ Keyspan Energy Delivery Long Island hereby authorizes and consents to the Town of Riverhead to enter the Premises described in Schedule "A" 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 its hand and seal the day and year above first written.

KeySpan Gas East Corp., d/b/a/  
KeySpan Energy Delivery  
Long Island

By:

\_\_\_\_\_  
[Name]  
[Title]  
175 East Old Country Road  
Hicksville, New York 11801

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

640  
**Tabled**

TOWN OF RIVERHEAD

04/ 03/01

Resolution # 336

*Adopted 04/17/01 -  
Please See April 17th  
TBM*

APPROVES PHASED SITE PLAN OF THE ALL SAINTS GREEK ORTHODOX  
MISSION, INC.

COUNCILMAN KENT

offered the following resolution,

which was seconded by COUNCILMAN DENSIE-SKI:

**WHEREAS**, a site plan and elevations were submitted by Rev. Vaselios Govits pursuant to Article XXVI of the Zoning Ordinance for the construction of a church, two (2) chapels, five (5) residence buildings (convent) and a garage upon real property located at Middle Road, Calverton; such real property more particularly described as Suffolk County Tax Map #0600-100-02-019.002; and

**WHEREAS**, the Planning Department has reviewed the site plan dated October 25th, 1998 and revised December 15th, 2000, as prepared by Yani Pavidis, R.A., and elevations dated July 20th, 1999 and revised January 20th, 2001, as prepared by Yani Pavidis, 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 2919 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 Rev. Vaselios Govits, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II Action pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

**BE IT FURTHER**

**RESOLVED**, that the site plan and elevations submitted by Rev. Vaselios Govits, for construction of a church and one residence, located at 1676 West Middle Road, Calverton, New York 11933, site plan dated October 25th, 1998 and revised December 15th, 2000, as prepared by Yani Pavidis, R.A., and elevations dated July 20th, 1999 and revised January 20th, 2001, as prepared by Yani Pavidis, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That this approval is for Phase I of the development consisting of a bluestone driveway, chapel and one (1) residence building (convent) and that subsequent approvals shall be required for the contemplated additional phases of the development;
2. That the residents of convent buildings shall be ordained nuns of the Greek Orthodox Church and that no use permit for convent buildings shall be issued prior to the certification of the residents to the satisfaction of the Riverhead Town Board;
3. That the use of the Premises shall be exclusively that of a church, chapel and convent, and that no other use, permanent or temporary, shall occur without the prior consent of the Riverhead Town Board;
4. 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;
5. 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;
6. 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;
7. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. 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;
9. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
10. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
11. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
12. 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, hereby authorizes and consents to the Town of Riverhead to enter premises at 1676 West Middle Road, Calverton, New York 11933, New York, to enforce said handicapped parking regulations;
13. 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;
14. That all new utilities shall be constructed underground;
15. 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.
16. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
17. 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;

- 18. That this approval is for Phase I of the development consisting of a bluestone driveway, chapel, and one (1) residence building (convent) and the location of an existing building and that subsequent approvals shall be required for the contemplated additional phases of the development;
- 19. That the residents of convent buildings shall be ordained nuns of the Greek Orthodox Church and that no use permit for convent buildings shall be issued prior to the certification of residents to the satisfaction of the Riverhead Town Board; and be further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Rev. Vaselios Govits, residing at 22 Rush Street, Port Jefferson Station, New York 11776, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

**COUNCILMAN KENT OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILMAN LULL.**

**ALL MEMBERS IN FAVOR OF TABLING THE RESOLUTION**

**THE VOTE** *absent*

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

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

Kozakiewicz  Yes \_\_\_ No

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ~~ADOPTED~~

Tabled

## DECLARATION AND COVENANTS

THIS DECLARATION, made the \_\_\_\_ day of \_\_\_\_\_, 2000, made by Rev. Vaselios Govits, residing at 22 Rush Street, Port Jefferson Station, New York 11776, 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 the use of the Premises shall be exclusively that of a church, chapel and convent, and that no other use, permanent or temporary, shall occur without the prior consent of the Riverhead Town Board;

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. 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, hereby authorizes and consents to the Town of Riverhead to enter premises at 1676 West Middle Road, Calverton, New York 11933, 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 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;

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

\_\_\_\_\_

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

**Adopted**

TOWN OF RIVERHEAD

ANIMAL SHELTER DONATION FUND

BUDGET ADJUSTMENT

RESOLUTION # 337

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:

028.000000.390599 APPROPRIATED FUND BALANCE

**FROM:**  
\$1,200.

028.035100.523011 BUILDING PLANT IMPROVEMENT

**TO:**  
\$1,200.

THE VOTE

*Absent*  
Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

APRIL 3, 2001

648  
**Adopted**

TOWN OF RIVERHEAD

Resolution # 338

LANDFILL CAPPING & CLOSURE

CAPITAL PROJECT

BUDGET ADJUSTMENT

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:

06.012401.441100.80001 INVESTMENT EARNINGS FROM: \$20,000.

406.081600.543500.80001 ENGINEERING EXPENSE TO: \$20,000.

THE VOTE

*absent*  
Cardinale  Yes  No      Densieski  Yes  No  
Kent  Yes  No      Lull  Yes  No  
Kozakiewicz  Yes  No

APRIL 3, 2001

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 339

VARIOUS CAPITAL PROJECT  
BUDGET ADJUSTMENTS

COUNCILMAN KENT

offered the following resolution,

which was seconded by

COUNCILMAN LULL

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

533 EAST MAIN STREET DEMOLITION CAPITAL PROJECT

406.010100.411000.41006 PROPERTY TAXES

FROM:  
\$2,275

406.086660.549001.41006 ADMINISTRATIVE FEE

TO:  
\$2,275.

THE VOTE

*Absent*

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

APRIL 3, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 340

SCTM#0600-64.00-03-001.00

39 PATTI LANE CHAPTER 96

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KENT

offered the following resolution ,

which was seconded by

COUNCILMAN LULL

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

406.010100.411000.41025 REAL PROPERTY TAXES

FROM:

\$740.

406.086660.549001.41025 ADMINISTRATIVE FEES

TO:

\$740.

THE VOTE

*Albert*  
Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

APRIL 3, 2001

TOWN OF RIVERHEAD

Resolution # 341

**Adopted**

SCTM#0600-105.00-02-011.00

22 LEWIS STREET CHAPTER 96

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KENT offered the following resolution ,

which was seconded by ~~COUNCILMAN LUI~~

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

406.010100.411000.41024 REAL PROPERTY TAXES FROM: \$740.

406.086660.549001.41024 ADMINISTRATIVE FEES TO: \$740.

THE VOTE

*Absent*  
Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lui  Yes  No

Kozakiewicz  Yes  No

APRIL 3, 2001

652  
**Adopted**

TOWN OF RIVERHEAD

Resolution # 342

SCTM#0600-106.00-02-011.02  
406 FISHEL AVE EXT. CHAPTER 96

CAPITAL PROJECT

BUDGET ADJUSTMENT

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

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

406.010100.411000.41022 REAL PROPERTY TAXES FROM: \$740.

406.086660.549001.41022 ADMINISTRATIVE FEES TO: \$740.

THE VOTE

Cardinale <sup>Absent</sup>  Yes  No  
Densieski  Yes  No  
Kent  Yes  No  
Lull  Yes  No  
Kozakiewicz  Yes  No

**Adopted**

APRIL 3, 2001

TOWN OF RIVERHEAD

Resolution # 343

SCTM# 0600-126.00-04-048.00  
432 EAST AVE EXT. CHAPTER 96

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KENT

offered the following resolution ,

which was seconded by COUNCILMAN LULL

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

406.010100.411000.41021 REAL PROPERTY TAXES FROM: \$740.

406.086660.54901.41021 ADMINISTRATIVE FEES TO: \$740.

THE VOTE

*Albenh*  
Cardinale  Yes  No      Densieski  Yes  No  
Kent  Yes  No      Lull  Yes  No  
Kozakiewicz  Yes  No

APRIL 3, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 344

247 OVERLOOK DRIVE CHAPTER 54 PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KENT

offered the following resolution ,

which was seconded by COUNCILMAN LULL

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

406.010100.411000.41026 REAL PROPERTY TAXES

FROM:

\$2,275.

406.086660.549001.41026 ADMINISTRATIVE FEE

TO:

\$2,275.

THE VOTE

*Abent*

Cardinale  Yes  No

Densieski  Yes  No

Kent  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

APRIL 3, 2001

TOWN OF RIVERHEAD

Adopted

Resolution # 345

SCTM#0600-102.00-02-014.01

DELORES AVE CHAPTER 96

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KENT offered the following resolution ,

which was seconded by COUNCILMAN LULL

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

406.010100.411000.41020 REAL PROPERTY TAXES FROM: \$740.

406.086660.54901.41020 ADMINISTRATIVE FEE TO: \$740.

THE VOTE

*Abert*  
Cardinale  Yes  No      Densieski  Yes  No  
Kent  Yes  No      Lull  Yes  No  
Kozakiewicz  Yes  No

# Adopted

4/3/01

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS  
RIVERHEAD WATER DISTRICT  
RDWD 99-53-CALVERTON ENTERPRISE PARK, CONTRACT NO. 6  
WATER TOWER REMOVAL

RESOLUTION # 346

Adopted 04/03/01

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

RESOLVED, that the Town Clerk be and is authorized to publish in the April 12, 2001, edition of The News Review and post the attached Notice to Bidders with regard to receiving bids for Calverton Enterprise Park, Contract No. 6- Water Tower Removal, 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.

*absent*

**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**

H2M GROUP  
NOTICE TO BIDDERS

657

The Town Board of Riverhead will receive bids for the Calverton Enterprise Park - Contract No. 6 - Water Tower Removal for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:00 a.m. prevailing time, on *Thursday, April 26, 2001*, at which time and place all bids will be publicly opened and read for **PROJECT NO.: RDWD 99-53 - Calverton Enterprise Park, Contract No. 6 - Water Tower Removal.**

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 *Thursday April 12, 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.

Any contract or contracts awarded under this Advertisement for Bids will be funded in part by a grant from the U.S. Department of Commerce-Economic Development Administration (EDA). The total amount of federal funding included in the project will not exceed \$1,800,000.00 which represents a portion of the total project costs to include design, construction, project inspection and management of the project. Neither the United States nor any of its departments, agencies, or employees is or will be a party to this advertisement or any resulting contract.

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: April 12, 2001

RDWD 99-53

NB - 1 of 1

4/3/01

*Withdrawn*

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS  
RIVERHEAD WATER DISTRICT  
CALVERTON ENTERPRISE PARK, CONTRACT NO. 6  
WATER TOWER REMOVAL

RESOLUTION # 347

Adopted 4/3/01

**COUNCILMAN KENT** \_\_\_\_\_ offered the following resolution which was seconded by ~~COUNCILMAN DENSIESKI~~ *to be withdrawn*

RESOLVED, that the Town Clerk be and is authorized to publish in the April 12, 2001, edition of The News Review and post the attached Notice to Bidders with regard to receiving bids for the removal of the water tower, Calverton Enterprise Park, Contract No. 6, 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** *absent*  
Densieski  Yes  No    Cardinale  Yes  No  
Kent  Yes  No    Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

*Withdrawn*

The Town Board of Riverhead will receive bids for the Calverton Enterprise Park - Contract No. 6 - Water Tower Removal for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at *11:00 a.m.* prevailing time, on *Thursday, April 26, 2001*, at which time and place all bids will be publicly opened and read for *PROJECT NO.: RDWD 99-53 - Calverton Enterprise Park, Contract No. 6 - Water Tower Removal*.

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 *Thursday April 12, 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.

Any contract or contracts awarded under this Advertisement for Bids will be funded in part by a grant from the U.S. Department of Commerce-Economic Development Administration (EDA). The total amount of federal funding included in the project will not exceed \$1,800,000.00 which represents a portion of the total project costs to include design, construction, project inspection and management of the project. Neither the United States nor any of its departments, agencies, or employees is or will be a party to this advertisement or any resulting contract.

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: April 12, 2001

RDWD 99-53

NB - 1 of 1

4/3/01

660  
**Adopted**

TOWN OF RIVERHEAD

RESOLUTION # 348

**AUTHORIZATION TO PUBLISH**  
**BID FOR SNACK VENDORS**

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

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for **SNACK VENDOR SERVICES** for the Town of Riverhead at Reeves Park Beach and Wading River Beach.

**BE IT RESOLVED**, the Town Clerk is hereby authorizes to publish and post the following notice in the April 5<sup>th</sup>, 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 and the Recreation Department.

*absent*

**THE VOTE**

Densieski  Yes  No    Cardinalo  Yes  No

Kent  Yes  No     Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD  
NOTICE OT BIDDERS

Sealed bids for **SNACK VENDOR SERVICES** for the Town of Riverhead at the following locations: Reeves Park Beach and Wading River Beach, 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 **APRIL 16<sup>TH</sup>, 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 BEACH SNACK VENDORS.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

APRIL 3<sup>RD</sup>, 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 349

AUTHORIZATION TO PUBLISH BID

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

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for **DIESEL MAINTENANCE FOR THE TOWN OF RIVERHEAD WATER DEPARTMENT.**

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **APRIL 5<sup>TH</sup>, 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 Water and Purchasing Departments.

*absent*

**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 MAINTENANCE for the TOWN OF RIVERHEAD WATER DEPARTMENT will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:15 a.m. on APRIL 16<sup>TH</sup>, 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 MAINTENANCE FOR THE TOWN OF RIVERHEAD WATER DEPARTMENT.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

April 3<sup>rd</sup>, 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 350

AUTHORIZATION TO PUBLISH  
BID FOR WELL & PUMP SERVICE

COUNCILMAN KENT

COUNCILMAN DENSIENSKI offered the following resolution which was seconded by COUNCILMAN DENSIENSKI.

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for **WELL & PUMP SERVICE** for the Town Of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **APRIL 5<sup>TH</sup>, 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    Lill  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for WELL & PUMP SERVICES for 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 APRIL 16<sup>TH</sup>, 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 WELL & PUMP SERVICE.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

APRIL 3<sup>RD</sup>, 2001

TOWN OF RIVERHEAD

RESOLUTION# 351

AUTHORIZATION TO PUBLISH BID FOR  
TWO (2) YEAR 2002 2WD UTILITY TRUCKS

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

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to  
advertise for sealed bids for the purchase of 2 YEAR 2002 2WD UTILITY TRUCKS  
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 APRIL 5<sup>TH</sup>, 2002 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 Water and Purchasing Departments.

*Abent*

**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 TWO (2) YEAR 2002 2WD UTILITY TRUCKS 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 11:20 a.m. on April 16<sup>th</sup>, 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.

Questions pertaining to this Bid should be directed to the Town of Riverhead Purchasing Department at 727-3200 Ext. 271 or 218.

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 YEAR 2002 2WD UTILITY TRUCKS.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

APRIL 3<sup>RD</sup>, 2001

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR DIESEL FUEL

RESOLUTION # 352

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for **DIESEL FUEL**;

WHEREAS, bids were received, opened, and read aloud on the 5<sup>TH</sup> day of March, 2001, at 11:10 a.m. at Town Hall, 200 Howell Avenue Riverhead, New York 11901, the date, time, and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for **DIESEL FUEL**, be and is hereby awarded to Quogue Sinclair Fuel from APRIL 4<sup>TH</sup>, 2001 TO APRIL 4<sup>TH</sup>, 2002 for \$.103 PLUS Bayway Long Island Reseller Price.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Quogue Sinclair Fuel. and the Purchasing Department.

**THE VOTE** *Albert*

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

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

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

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ADOPTED

April 3, 2001

Adopted<sup>669</sup>

TOWN OF RIVERHEAD

RESOLUTION # 353

AWARDS BID FOR STOTZKY PARK ALL CHILDREN'S PLAYGROUND IMPROVEMENTS

Adopted: April 3, 2001

COUNCILMAN DENSIESKI offered the following resolution which

was seconded by COUNCILMAN KENT.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the Stotzky Park All Children's Playground Improvements; and

WHEREAS, three (3) bids were received, opened and read aloud on the 26<sup>th</sup> day of February, 2001 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Stotzky Park All Children's Playground Improvements be and is hereby awarded to Lobo Construction Services, Inc. in the amount of Ninety Eight Thousand Seven Hundred and Fifty Dollars & 00/100 (\$98,750.00); and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Town Clerk to return any and all bid bonds received in connection with the above; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Lobo Construction Services, Inc., 426 South Country Road, Brookhaven, New York 11719, Ken Testa, P.E. and the Office of Accounting.

*AKent*

**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

Adopted

4/3/01

TOWN OF RIVERHEAD

Resolution # 354

APPROVES APPLICATION OF EAST END ARTS & HUMANITIES COUNCIL, INC.

**COUNCILMAN LULL**

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

**COUNCILMAN DENSIESKI**

WHEREAS, the East End Arts & Humanities Council Inc. ("EEAC") has submitted an application for the purpose of conducting their 5<sup>th</sup> Annual Community Mosaic Street Painting Festival with music and art exhibit to be held on EEAC grounds and parking lot, Riverhead, New York, on Sunday, May 27, 2001, having a rain date of May 28, 2001, between the hours of 12:00 noon and 5:00 p.m.; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents including the certificate of insurance regarding said application.

NOW THEREFORE BE IT RESOLVED, that the application of the East End Arts & Humanity Council, Inc. for the purpose of conducting their 5<sup>th</sup> Annual Community Mosaic Street Painting Festival with music and art exhibit to be held on EEAC grounds and parking lot, Riverhead, New York, on Sunday, May 27, 2001, having a rain date of May 28, 2001, between the hours of 12:00 noon and 5:00 p.m., is hereby approved; and be it further

RESOLVED, that a pre-opening inspection is to be conducted by the Riverhead Fire Marshall by calling 727-3200 ext. 209; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the East End Arts & Humanities Council, Inc., 133 East Main Street, Riverhead, New York, 11901; Ken Testa, P.E. and the Riverhead Police Department.

**THE VOTE**

Densieski  Yes  No, Cardinale  Yes  No  
*Abtun* Kent  Yes  No Lull  Yes  No  
Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

**Adopted**

4/3/01

TOWN OF RIVERHEAD

Resolution # 355

APPROVES APPLICATION OF WADING RIVER CIVIC ASSOCIATION  
(DUCK POND DAY)

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN KENT :

WHEREAS, the Wading River Civic Association has submitted an application for the purpose of conducting their annual Duck Pond Day to be held on Wading River Manor Road and North Country Road, Wading River, New York, on May 6, 2001, between the hours of 11:00 a.m. and 4:00 p.m.; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents including the certificate of insurance regarding said application.

NOW THEREFORE BE IT RESOLVED, that the application of the Wading River Civic Association for the purpose of conducting their annual Duck Pond Day to be held on Wading River Manor Road and North Country Road, Wading River, New York on May 6, 2001, between the hours of 11:00 a.m. and 4:00 p.m. is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the application fee for this event; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Wading River Civic Association, Attn: Sid Bail, P.O. Box 805, Wading River, New York, 11792; Ken Testa, P.E.; Bruce Johnson, Fire Marshall and the Riverhead Police 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

4/3/01

TOWN OF RIVERHEAD

Resolution # 356

ACCEPTS PERFORMANCE BOND OF WADING WOODS ASSOCIATES, LLC

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

WHEREAS, by resolution adopted on February 5, 2001, the Riverhead Planning Board conditionally approved the final conditional condominium map approval of Wading Woods Associates, LLC, with one of the conditions of final approval being the submission and filing of a performance bond in the amount of \$282,500.00 covering improvements to be completed within said condominium project; and

WHEREAS, Wading Woods Associates, LLC has submitted to the Town of Riverhead Performance Bond # 11687 from Nova Casualty Company in the amount of Two Hundred Eighty Two Thousand Five Hundred and 00/100 (\$282,500.00) Dollars, for improvements to be completed within said condominium project; and

WHEREAS, said performance bond is found to be acceptable covering the improvements to be completed in the condominium project of Wading Woods Associates, LLC.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby accepts Nova Casualty Company Performance Bond # 11687 in the amount of Two Hundred Eighty Two Thousand Five Hundred and 00/100 (\$282,500.00) Dollars for improvements to be completed in the condominium project of Wading Woods Associates, LLC; 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, P.O. Box 1547, Riverhead, New York, 11901; the Planning Department; the Building Department and the Town Attorney's Office.

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

4/03/00

**Adopted**

TOWN OF RIVERHEAD

Resolution # 357

ACCEPTS SECURITY BOND OF NEXTEL OF NEW YORK, INC. D/B/A/  
NEXTEL COMMUNICATIONS

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, Nextel Communications has posted a cash bond in the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250) representing the 5% site plan bond for the work at 6232 Middle Country Road, Wading River, New York 11901, Suffolk County Tax Map # 600-134.00-01-002.02 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% cash security bond in the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250) and,

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Munley, Meade, Nielsen & Re, 160 Middle Neck Road, Great Neck, New York 11021, Nextel of New York Inc., Mr. John Walden, One North Broadway, White Plains, New York 10601, the Building Department; the Planning Department and the Town Attorney's Office.

**THE VOTE**

*Absent*  
Cardinale  Yes  No      Densieski  Yes  No

Kent  Yes  No      Lull  Yes  No

Kozakiewicz  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

4/03/00

# Adopted

## TOWN OF RIVERHEAD

Resolution # 358

### ACCEPTS PERFORMANCE BOND OF MCDONALD'S CORPORATION (WR)

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILMAN KENT

WHEREAS, McDonald's Corporation has posted a Performance Bond in the sum of Twelve Thousand Five Hundred Dollars (\$12,500) representing the 5% site plan bond for the work at Route 25A & Wading River Manor Road, Wading River, New York, Suffolk County Tax Map # 600-073.00-02-001.12 & 001.20 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said performance bond and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Twelve Thousand Five Hundred Dollars (\$12,500) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, PO Box 779, Riverhead, New York 11901, Bohler Engineering, P.C., 70 East Sunrise Highway, Suite #609, Valley Stream, New York 11580, the Building Department; the Planning Department and the Town Attorney's Office.

### THE VOTE

*Absent*  
 Cardinale  Yes  No      Densieski  Yes  No  
 Kent  Yes  No      Lull  Yes  No  
 Kozakiewicz  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

4/3/01

675  
**Adopted**

TOWN OF RIVERHEAD

Resolution # 359

ACCEPTS ASSIGNMENT OF S.C.N.B. PASSBOOK OF ZOUMAS CONTRACTING CORP. (PARK, PLAYGROUND & RECREATION FEES – “THE MEADOWS AT AQUEBOGUE”)

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, by resolution adopted on January 5, the Riverhead Planning Board did conditionally approve the preliminary plat of the “The Meadows at Aquebogue”, with one of the conditions of final approval being the submission and filing of a performance bond or other acceptable form of performance security in the amount of \$114,000.00 covering the park, playground and recreation fees within said subdivision; and

WHEREAS, Zoumas Contracting Corp. has submitted to the Town an Assignment to Suffolk County National Bank Passbook No. 291019905, in the amount of \$114,000.00; and

WHEREAS, the Town Attorney has reviewed said Assignment of S.C.N.B. Passbook No. 291019905 and has determined that same is satisfactory in its form.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby accepts Assignment of S.C.N.B. Passbook No. 291019905 in the amount of \$114,000.00, covering the park, playground and recreation fees within said subdivision; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., as attorney for Zoumas Contracting Corp., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901; the Planning Department; the Planning Board; the Building Department 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

# Adopted

4/3/01

## TOWN OF RIVERHEAD

RESOLUTION # 360

### AUTHORIZES ATTENDANCE AT CONFERENCE

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

**WHEREAS**, the Empire State Development Corporation will be conducting the Spring Empire Zones Conference on April 19 and April 20 in Syracuse.

**WHEREAS**, attendance at the bi-annual conferences is critical to establishing a relationship with New York State officials and acquiring knowledge to best implement the benefits of the Calverton Empire Zone.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Riverhead Town Board hereby approves the attendance of a Town Designee at a cost not to exceed \$765 as indicated on the attached breakdown of costs.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to the Accounting Department and Community Development Director Andrea Lohneiss.

THE VOTE *absent*

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

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

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

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ADOPTED

# Adopted

April 3, 2001

## TOWN OF RIVERHEAD

Resolution # 361

### AUTHORIZES ATTENDANCE OF A POLICE LIEUTENANT TO FBI ACADEMY

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

WHEREAS, Police Chief Grattan has requested permission to authorize one (1) Police Lieutenant to attend the FBI Academy, commencing April 2001.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of one (1) Police Lieutenant to attend the FBI Academy.

BE IT FURTHER RESOLVED, that the Town Board authorizes reimbursement of all expenses incurred upon proper submission of receipts; and,

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

*abent*

**Adopted**

04/03/01

TOWN OF RIVERHEAD

Resolution # 362

APPROVES REQUEST FOR LEAVE OF ABSENCE

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

WHEREAS, James Bray, a P/T Maintenance Mechanic has requested a 3-month, non-paid leave of absence from the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that James Bray's request for a non-paid leave of absence from April 9, 2001 to July 2, 2001 is here by approved subject to the following condition(s):

(1) To facilitate the proper functioning of the Town offices, the employee shall submit written notice to the Town Supervisor of her intent to return to work, resign, retire or other relief at least thirty (30) days prior to the expiration of the leave of absence, and

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

THE VOTE *absent*

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

April 3, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 363

ACCEPTS RESIGNATION OF DETENTION ATTENDANT IN THE POLICE DEPARTMENT

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

WHEREAS, Shauna-Marie Lilimpakis has notified the Chief of Police of her intent to resign from her position as Detention Attendant with the Police Department effective immediately.

NOW, THEREFORE, BE IT RESOLVED, effective April 3, 2001, the Town Board of the Town of Riverhead hereby accepts the resignation of Shauna-Marie Lilimpakis.

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

THE VOTE *absent*

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

April 3, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 364

ACCEPTS RESIGNATION OF SCHOOL CROSSING GUARD IN THE POLICE DEPARTMENT

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

WHEREAS, Anna Layton has notified the Chief of Police of her intent to resign from her position as School Crossing Guard with the Police Department effective immediately.

NOW, THEREFORE, BE IT RESOLVED, effective April 3, 2001, the Town Board of the Town of Riverhead hereby accepts the resignation of Anna Layton.

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

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

4/3/01

Town of Riverhead

Adopted<sup>81</sup>

Resolution # 365

**Authorizes Supervisor to Execute Amendment to Local Waterfront Revitalization Plan (LWRP) Agreement**

COUNCILMAN KENT

offered the following resolution,

which was seconded by COUNCILMAN LULL:

**WHEREAS**, the New York State Department of State has approved grant funds in the amount of \$20,000 for the preparation of a LWRP for the Town of Riverhead; and

**WHEREAS**, the LWRP is an integral component of the Comprehensive Master Plan and is to be undertaken simultaneously with certain relevant portions of the Master Plan; and

**WHEREAS**, it is intended that the LWRP component proceed at this time in the Master Plan process; and

**WHEREAS**, an amendment to the contact between the Town of Riverhead and the Department of State is required in order to provide an extension of time.

**THEREFORE, BE IT RESOLVED**, that the Town Board authorizes the Supervisor to execute an Amendment providing for an extension of one year.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss and Planning Board Chairman Barbara Blass.

**THE VOTE** *Absent*

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

**Adopted**

Resolution # 366

**Authorizes Supervisor to Execute Contract with The Hastings Design Group**

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN KENT:

**WHEREAS**, the New York State Department of State has approved grant funds in the amount of \$20,000 for the preparation of a LWRP for the Town of Riverhead; and

**WHEREAS**, the LWRP is an integral component of the Comprehensive Master Plan and is to be undertaken simultaneously with certain relevant portions of the Master Plan; and

**WHEREAS**, it is intended that the LWRP component proceed at this time in the Master Plan process; and

**WHEREAS**, the consultant to undertake this component of the Master Plan is The Hastings Design Group, one of the sub-consultants for APPS for the Comprehensive Master Plan.

**THEREFORE, BE IT RESOLVED**, that the Town Board authorizes the Supervisor to execute a contract for services as detailed in the attached Work Plan.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss, Town Attorney Dawn Thomas and Planning Board Chairman Barbara Blass.

*absent*

**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

## APPENDIX D

## PROGRAM WORK PLAN

Contractor:	Town of Riverhead
Program Contact Person:	Andrea Lohneiss
Phone: (Office)	(516) 727-3200
(Fax)	(516) 727-4230

---

1. Project Name and Description**Town of Riverhead Local Waterfront Revitalization Program**

This project involves the preparation of a Local Waterfront Revitalization Program (LWRP) pursuant to the provisions of NYS Executive Law, Article 42, for the Town of Riverhead. The project includes preparation of a harbor management plan as set forth in 19 NYCRR Part 603 and further described in guidelines prepared by the Department of State. The Town of Riverhead is located on Long Island Sound, the Peconic Estuary and the Peconic River. The primary coastal issues to be addressed by the Town of Riverhead LWRP have been preliminarily identified as waterfront revitalization, natural resource restoration and/or protection, support of appropriate water dependent industries, and improvement and expansion of public access to the waterfront. The completion of the LWRP will be integrated with the Town's current initiative to prepare a Comprehensive Master Plan.

The Town of Riverhead Community Development Director and the Planning Director will provide project coordination. The Town has already selected a planning consultant to undertake this project. After an extensive Request for Proposals and interview process, the Town selected a consulting team led by the firm of Abeles, Phillips, Preiss and Shapiro, Inc to prepare the Comprehensive Master Plan. The Hastings Design Group will be charged with overseeing the LWRP components. Local community input will be provided by the Master Plan Coordination Committee.

The completion of the Town of Riverhead LWRP involves several discrete tasks that are broken out below. Department of State review is included within these tasks. Sub-contracts must be submitted to the Department of State for review and approval.

2. Component Tasks**Task 1: File notice in the Environmental Notice Bulletin of intent to prepare a LWRP**

The Town of Riverhead shall act as the lead agency under the State Environmental Quality Review Act (SEQRA) and will file the required notices. With regard to SEQRA, the Town of Riverhead and the Department of State are involved agencies, since the LWRP must be formally adopted by the Town of Riverhead and approved by the New York State Secretary of State.

**Task 2: Initial Scoping Meeting**

The Town of Riverhead, the Department of State, and the consultant shall hold an initial meeting to review project requirements, identify waterfront and harbor management issues, transfer any information to the consultant which would assist in completion of the LWRP, and review the LWRP preparation process. The Town of Riverhead shall prepare a brief meeting summary to clearly indicate the agreements/understandings reached at the meeting.

## Appendix D-2

Product: Scoping meeting with appropriate parties. Meeting summary with note of agreements/understandings reached.

### Task 3: Section I - Waterfront Revitalization Area Boundary

The Town of Riverhead and the consultant shall prepare a narrative and graphic description of the Town of Riverhead's waterfront revitalization area. The waterfront area should include those portions of the water body within the Town of Riverhead, as well as adjacent land and other land which affects the water body through drainage, viewsheds, and any other factors. The waterfront area must include the Town of Riverhead's entire waterfront, not scattered parcels. The narrative will be accompanied by a boundary map.

Department of State review of Section I - Waterfront Revitalization Area Boundary is required.

Products: Narrative and map of the waterfront revitalization area boundary.

### Task 4: Section II - Inventory and Analysis

The Town of Riverhead and the consultant shall inventory and describe existing natural and man-made resources and conditions within the waterfront area. Section II will analyze waterfront issues, opportunities, and constraints to development, and resource protection needs. Topics to be addressed include, but are not limited to, the following:

- Existing land use
- Existing water use
- Existing zoning and other relevant local development controls
- Land ownership patterns, including underwater lands
- Public access and recreational resources
- Infrastructure (i.e. water supply, sewage disposal, solid waste disposal, and transportation systems)
- Historic resources (National Register sites and districts, locally designated resources, archaeological resources)
- Scenic resources
- Topography and geology
- Water quality (point and nonpoint sources)
- Natural resources (wetlands, steep slopes, minerals, etc.)
- Flooding and erosion
- Significant fish and wildlife habitats
- Important agricultural lands
- Environmental issues (hazardous waste sites, solid waste, etc.)
- Navigation and dredging issues
- Harbor management issues

This task shall include a public information meeting regarding the identified local waterfront issues and opportunities and solicit public input regarding the completeness and accuracy of Section II.

Department of State review of Section II - Inventory and Analysis is required.

Products: Completed Section II with accompanying maps.

### Task 5: Section III - Waterfront Revitalization Policies

## Appendix D-3

The Town of Riverhead and the consultant shall refine applicable State waterfront revitalization policies to reflect local conditions, including specific standards for determining consistency with the policies. Provisions of the State policy may be modified, but not diminished.

Department of State review of the Section III - Waterfront Revitalization Policies is required.

Products: Draft Local Waterfront Revitalization Policies.

#### Task 6: Section IV - Proposed Land and Water Uses

The Town of Riverhead and the consultant shall describe proposed land and water uses for the waterfront revitalization area and proposed projects necessary to implement the LWRP.

Department of State review of Section IV - Proposed Land and Water Uses is required.

Products: Proposed land and water uses and implementation projects.

#### Task 7: Section V - Local Implementation Techniques

The Town of Riverhead and the consultant shall describe existing and proposed local laws, regulations, and/or ordinances which are necessary to implement the policies and proposed uses set forth in Sections III and IV. The consultant also will describe other public and private sector actions necessary to implement the LWRP, a local management structure for reviewing proposed waterfront projects for consistency with the LWRP, and the financial resources required to implement the LWRP.

Department of State review of Section V - Local Implementation Techniques is required.

This task shall include a public information meeting regarding the coastal policies, proposed land and water uses, proposed projects and local implementation techniques and solicit public input regarding the completeness and accuracy of Sections III-V.

Products: Completed Section V, including drafts of any necessary amendments to existing laws or new local laws, including a local consistency review law.

#### Task 8: Section VI - Federal and State Actions and Programs Likely to Affect Implementation of the LWRP

The Department of State shall provide to the Town of Riverhead a generic list of federal and State agency actions and programs (Section VI. A) which are to be undertaken in a manner consistent with the LWRP. The Town of Riverhead and the consultant shall describe (in Section VI. B.) specific federal and State actions necessary to further implementation of the LWRP (technical assistance, funding, procedural changes, etc.).

Product: Completed Section VI.

#### Task 9: Section VII - Local Commitment and Consultation

The Town of Riverhead and the consultant shall describe the public consultation efforts undertaken in the preparation of the LWRP, such as public hearings, public informational meetings, or scoping meetings with governmental agencies. A description of any local committees created to oversee preparation of the LWRP, as well as the role of other municipal entities will also be described.

Product: Completed Section VII.

Task 10: Completion of SEQRA

The Town of Riverhead and the consultant shall prepare a Draft Generic Environmental Impact Statement for the Draft LWRP in accordance with State Environmental Quality Review Act (SEQRA) guidelines OR if determined by the Lead Agency that the proposed LWRP will not have a significant adverse environmental impact, prepare a Negative Declaration. If a Negative Declaration is prepared and filed, then a Draft Generic Environmental Impact Statement will not be necessary. The Town of Riverhead shall determine whether a public hearing will be held on the draft LWRP.

Products: Completed Environmental Assessment Form and SEQRA determination and, if appropriate, a draft Generic Environmental Impact Statement.

Task 11: Quarterly Reports

The Town of Riverhead shall submit to the Department of State quarterly reports on the form provided, including the extent of work accomplished, any problems encountered, and any assistance needed. If a quarterly payment request is submitted, the quarterly report may be submitted as part of the payment request.

Products: Quarterly reports during the life of the contract.

Task 12: Measurable Results

The Town of Riverhead shall complete the Measurable Results form attached to this work program and provide a copy to the Department of State.

Product: Completed Measurable Results form.

### 3. Other Responsibilities

1. The Town of Riverhead shall be responsible for the preparation of each of the above-described component sections to the satisfaction of the Department of State. Prior to undertaking preparation of the LWRP and each section, local and Department of State representatives shall meet and discuss the preparation process, as well as items to be included. The Department of State shall provide any appropriate written guidelines and any comments on the sections as they are drafted.
2. The Town of Riverhead shall be responsible for the preparation of maps and other graphics in formats and scale acceptable to the Department of State. At a minimum, the LWRP must contain maps which display the waterfront revitalization area boundary, existing land and water uses, proposed land and water uses, and proposed zoning.
3. The recipient shall provide the Department of State with 75 copies of an acceptable Draft LWRP (and Draft Environmental Impact Statement, if one is prepared) for review by federal, State, and local agencies.

Note - While the following items are applicable to completion of the LWRP, they are not required for completion within the time period of this agreement.

## Appendix D-5

4. Upon completion of the Draft LWRP/Draft Environmental Impact Statement, the Department of State shall initiate a 60-Day Review by State and local agencies concurrent with the required SEQRA review.
5. Following the 60-Day Review of the Draft LWRP/ Draft Environmental Impact Statement, the Department of State shall meet with municipal representatives to determine appropriate responses to the comments received, which shall be reflected by the Town of Riverhead in the final LWRP (and Final Environmental Impact Statement).
6. The Town of Riverhead shall then submit a schedule of adoption of the LWRP and any local laws necessary for implementation of the LWRP.
7. The Town of Riverhead shall provide the Department of State a print-ready original of the final LWRP document, including maps and

4/3/01

# Adopted

Town of Riverhead

Resolution # 367

Authorizes the Filing of an Application for New York State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Contract, Under the Appropriate Laws of New York State

**COUNCILMAN KENT**

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

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

WHEREAS, the State of New York provides financial aid for hazardous waste programs; and

WHEREAS, the Town of Riverhead herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

THEREFORE, BE IT RESOLVED, by the Riverhead Town Board:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized;
2. That the Supervisor, or his designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the STATE for the STATE share of such costs;
4. That the MUNICIPALITY has set forth their respective responsibilities by attached resolution;
5. That five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application; and
6. That this resolution shall take effect immediately.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss and Sanitation Superintendent John Reeve.

*about*

**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

4/3/01

689  
**Adopted**

Town of Riverhead

Resolution # 368

Authorizes Publication of Notice

COUNCILMAN LULL

offered the following resolution, which was seconded

by COUNCILMAN DENSIENKI

WHEREAS, The Town of Riverhead offers a variety of loan programs to low to moderate income owner-occupants for home improvements; and

WHEREAS, the Town has a need for additional qualified, licensed contractors to bid on these projects.

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Town Clerk to publish the attached notice as a display ad in the News-Review on April 5, 12, 19, and 26, and also in Suffolk Life Newspapers on April 4, 11, 18, and 25.

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Andrea Lohneiss, Community Development Director.

*absent*

**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

LM

## CLASSIFIED SECTION (DISPLAY AD)

CONTRACTORS ARE INVITED TO PARTICIPATE IN THE TOWN OF RIVERHEAD'S HOME IMPROVEMENT PROGRAM FOR SINGLE-FAMILY HOMES AND MOBILE-HOME REHABILITATION. CONTRACTORS MUST BE LICENSED AND INSURED. FOR MORE INFORMATION, PLEASE CALL THE COMMUNITY DEVELOPMENT DEPT. AT (631) 727-3200 EXT. 238.

Adopted

4/03/01

TOWN OF RIVERHEAD

RESOLUTION # 369

ESTABLISHES HANDICAPPED ADVISORY BOARD

COUNCILMAN LULL

Offered the following resolution, was

Seconded by COUNCILMAN KENT :

WHEREAS, the Town Board is aware of the need of future development of areas concerning handicapped individuals: and

WHEREAS, it is the desire of this Town Board to put in place a group of individuals who can assist this government in identifying the needs in the community of the handicapped and who can assist in the future development of areas concerning handicapped individuals.

Now Therefore Be it Resolved, that the Town Board be and hereby appoints the following individuals to serve at the pleasure of the Town Board as members of the Handicapped Advisory Board:

- |                  |                |              |
|------------------|----------------|--------------|
| Edward Densieski | Charles Floege | Trina Miles  |
| Barbara Grattan  | Chuck Adams    | Gus Lo Porto |

and be it further:

Resolved, that the Town Clerk be and is hereby to forward a certified copy of this resolution to Edward Densieski, Barbara Grattan, Trina Miles, Gus Lo Porto, Chalres Floege, Chuck Adams, and the Town Attorney

town board handicapped/ trina

THE VOTE *absent*

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

Adopted

April 3, 2001

TOWN OF RIVERHEAD

Resolution # 370

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING - CHANGE OF ZONE AND SPECIAL PERMIT OF RELIANCE LEASING, INC.

COUNCILMAN KENT

offered the following resolution which

was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a change of zone petition from Reliance Leasing, Inc. to provide for the Industrial B Zoning Use District to the exclusion of the prevalent Agriculture A Zoning Use District upon real property located at Youngs Avenue, Riverhead and is in further receipt of an attending special permit petition to allow the construction of a recycling facility upon said property, such real property more particularly described as Suffolk County Tax Map No. 0600-80-2-4.1, and

WHEREAS, such petition has been referred to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the approval of the petitions with certain conditions, and

WHEREAS, the Town Board desires to hold hearings upon the subject petitions pursuant to Section 108-3 of the Town Code, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notices 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 1<sup>st</sup> day of May, 2001 at 7:10 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the change of zone petition of Reliance Leasing, Inc. to provide for the Industrial B Zoning Use District to the exclusion of the prevalent Agriculture A Zoning Use District upon real property located at Youngs Avenue, Riverhead; such real property more particularly described as Suffolk County Tax Map No. 0600-80-2-4.1.

DATED: April 3, 2001  
Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 1<sup>st</sup> day of May, 2001 at 7:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of Reliance Leasing, Inc. to allow the construction of a recycling center upon real property located at Youngs Avenue, Riverhead; such real property more particularly described as Suffolk County Tax Map No. 0600-80-2-4.1.

DATED: April 3, 2001  
Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

Adopted

4/3/01

TOWN OF RIVERHEAD

Resolution # 371

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE

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 amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 20th day of March, 2001 at 2:10 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 101 entitled, "Vehicles & Traffic" 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 Highway Department and the Police Department and the Riverhead Code Revision Committee.

THE VOTE *absent*

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 adopted a local law amending Chapter 101 entitled, " Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on April 3, 2001 as follows:

§ 101-3. Stop and yield intersections; railroad crossings; parking fields.

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

Intersection	Stop Sign on	Entrance From
<u>Middle Road</u>	<u>Roanoke Avenue</u>	<u>South</u>
<u>Middle Road</u>	<u>Roanoke Avenue</u>	<u>North</u>

Dated: Riverhead, New York  
April 3, 2001

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

\* Underline represents addition(s)

**BARBARA GRATTAN, Town Clerk**

4/3/01

# Adopted

## TOWN OF RIVERHEAD

Resolution # 372

### AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 108 (ZONING) OF THE RIVERHEAD TOWN CODE (OFF STREET PARKING)

COUNCILMAN KENT

offered the following resolution,

which was seconded by COUNCILMAN LULL :

**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 to Chapter 108 entitled, "Zoning" of the Riverhead Town Code, once in the April 12, 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 the The Riverhead Fire Marshal; the Riverhead Planning Board; the Riverhead Planning Department; the Riverhead Zoning Board of Appeals; the Riverhead Police Department and the Riverhead Code Revision Committee.

**THE VOTE** *absent*

Densleski  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  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 17th day of April, 2001 at 7:05 p.m. o'clock at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" as follows:

§ 108-60. Off-street parking.

E. Size of parking spaces and aisles for various angles of parking.

(5) Access for emergency vehicles

- a. In the design of any commercial or industrial parking lot or parking area at least one (1) emergency access way from the public road to the "accessible side or sides" of the proposed buildings shall be provided which use the following minimum vertical and horizontal clearances. Said Emergency Vehicle access ways shall be shown on the required site plan and/or building elevations, which accompany any site plan.

Minimum outside turning radius – fifty (50) feet

Minimum inside turning radius – thirty-four (34) feet

Minimum width for a Fire Lane – eighteen (18) feet

Minimum vertical clearance – fifteen (15) feet (height)

- b. The site plan and/or building elevations shall show the appropriate "accessible side or sides" to any proposed commercial or industrial buildings and designate same as a "Fire Lane – No Parking" zone. An applicant for a commercial or industrial site plan shall submit a site plan with such emergency access way shown, either before or after consulting with the Town Fire Marshal.

- c. The above listed minimums may be reduced during the review of a commercial or industrial site plan, but only by written application to the Riverhead Town Board and approval by Town Board resolution. Said application for relief from the minimum emergency vehicle access provisions shall be accompanied by the following:

1. The reason(s) for which the applicant is requesting relief by reduction(s) in the stated minimums.
2. Description and specification of the relief being sought.
3. The written comments of the Town Fire Marshal with regard to the proposed relief being sought.

Dated: Riverhead, New York  
April 3, 2001

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

# Adopted

4/3/01

## TOWN OF RIVERHEAD

RESOLUTION # 373

ORDER CALLING PUBLIC HEARING - EXTENSION 57 TO THE RIVERHEAD  
WATER DISTRICT  
SOUTH TWOMEY AVENUE

ADOPTED \_\_\_\_\_

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

WHEREAS, a petition has been filed two property owners of homes on Twomey Avenue, south of Deep Hole Road, requesting the Riverhead Water District to provide water facilities to their residences which are located just outside the boundaries of the existing Water District, and

WHEREAS, a report dated February, 2000, was prepared by H2M, consulting engineers to the Riverhead Water District, that evaluated the extension to the District to supply public water to a total of eight properties on Twomey Avenue, including the above two property owners; however, the property owners decided that the cost of extending the water was too expensive and the extension to eight properties did not proceed, and

WHEREAS, a revised map and plan detailing the proposed construction of water mains and appurtenances to service two property owners has been prepared by H2M, consulting engineers to the Riverhead Water District dated March, 2001, for an extension to the Riverhead Water District to be known as Extension No. 57 located on Twomey Avenue south of Deep Hole Road in Calverton, New York, and

WHEREAS, the maximum amount to be expended for the installation of the mains is \$7,090 all to be borne by the property owners, with said extension to be at no cost to the district, 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 granting of a contract by the Riverhead Water District. Such contract to provide for the installation of approximately 185 linear feet of 12 inch diameter water main along with the appropriate appurtenances, at the sole cost of the two property

owners to be served, and at no cost to the district,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on the /<sup>st</sup> day of /*14y*, 2000, at *7:05pm* o'clock 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 57, 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 April 12th 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., H2M, and the petitioners, Catherine Liebling and Mark Kobylenski.

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

Dated: April 3, 2001  
Riverhead, NY

	THE RESOLUTION		<i>absent</i>
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

RIVERHEAD WATER DISTRICT  
PROPOSED EXTENSION NO. 57  
REVISED SOUTH TWOMEY AVENUE

DESCRIPTION OF EXTENSION

BEGINNING at a point formed by the westerly right-of-way of Twomey Avenue and southerly right-of-way of May Drive, said intersection having a radius of 40.00 feet and a length of 62.83 feet. Traveling southerly along westerly right-of-way of Twomey Avenue a distance of 166.22 feet to a POINT OF BEGINNING.

From said POINT OF BEGINNING, running east to the easterly right-of-way of Twomey Avenue of the west property line of Section 80, Block 4, Lot 1.

THENCE northerly along the east line of Twomey Avenue to the north property line of Section 80, Block 4, Lot 1.

THENCE easterly along the northerly property line of Section 80, Block 4, Lot 1 to the east property line.

THENCE southerly along the easterly property lines of Section 80, Block 4, Lots 1 and 2 to the south property line.

THENCE westerly along the south property line of Section 80, Block 4, Lot 2 to the westerly right-of-way of Twomey Avenue.

THENCE northerly along the west right-of-way of Twomey Avenue to the south property line of Section 79, Block 2, Lot 4.2, said POINT OF BEGINNING.

END OF DESCRIPTION

4/3/01

## TOWN OF RIVERHEAD

Resolution # 374

### CHANGES EMPLOYMENT STATUS OF DEPUTY TOWN ATTORNEYS

Councilman Densieski offered the following resolution, which was seconded by Councilman Kent.

WHEREAS, in an effort to reduce the legal expenses of the Town, the Town Board on September 5, 2000, appointed two part-time Deputy Town Attorneys who commenced work on October 2, 2000, and

WHEREAS, the Town Board's plan in expanding the staff of the Town Attorney's office has been successful and there has been significant legal expense savings since the Deputy Town Attorneys commenced work in October of 2000, and

WHEREAS, the Town Board wishes to continue the employment of the Deputy Town Attorneys and to change their employment status,

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Deputy Town Attorneys, Scott DeSimone, Esq. shall continue in their appointed positions at the current rate; and be it further

RESOLVED, that, effective April 1, 2000, the Deputy Town Attorneys shall work three full days per week and shall receive Fifty (50%) percent of the cost of the town hospitalization plan; the town dental and optical plan benefits as presented in the CSEA Contract, Article X § 3 and 4, and be it further

RESOLVED, that effective October 1, 2001, the Deputy Town Attorneys shall be entitled to six days of vacation per year with automatic year-end carryover, and shall accumulate sick time at the rate of 1 1/4 days per month, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward one copy each of a certified copy of this resolution to Scott DeSimone, Esq., c/o Riverhead Town Attorney's Office, 200 Howell Avenue, Riverhead, New York, 11901, the Office of Accounting and the Town Attorney's Office.

Super.dep.twn.attorney.bene

**THE VOTE** *ABSENT*

Densieski  Yes  No *Cardinale*  Yes  No

Kent  Yes  No Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

UNANIMOUSLY ADOPTED

4/17/01

# Adopted

## TOWN OF RIVERHEAD

Resolution # 375

### APPROVES THE APPLICATION OF TANGER OUTLET CENTER INC.

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN KENT

**WHEREAS**, Tanger Outlet Center, Inc. has submitted an application for the purpose of conducting a tent sale (Liz Claiborne) to be held at Tanger I, Tanger Outlet Center, 1770 West Main Street, Riverhead, New York, on the following dates and times:

May 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 2001                      9:00 a.m. to 9:00 p.m.  
May 6, 2001                                      10:00 a.m. to 7:00 p.m.; and

**WHEREAS**, the Town Attorney of the Town of Riverhead has reviewed all documents regarding said application; and

**WHEREAS**, a certificate of insurance has been received naming the Town of Riverhead as an additional insured.

**NOW THEREFORE BE IT RESOLVED**, that the application of Tanger Properties Ltd. Partnership for the purpose of conducting a tent sale (Liz Claiborne) to be held at Tanger I, Tanger Outlet Center, 1770 West Main Street, Riverhead, New York, on the aforementioned following dates and times, is hereby approved; and be it further

**RESOLVED**, that a pre-opening inspection is to be conducted by the Riverhead Fire Marshall by calling 727-3200 ext. 209; and be it further

**RESOLVED**, that the tent(s) must be removed at the end of business on May 6, 2001; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Tanger Outlet Center, Attn: Janine Nebons, Tanger Drive, Suite 200, Riverhead, New York, 11901; the Riverhead Fire Marshal and the Riverhead Police Department.

c:\msword\Laura\chap90\Tanger.res

**THE VOTE** *Albert*

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

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

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

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ADOPTED

Adopted

4/3/01

TOWN OF RIVERHEAD

Resolution # 376

AUTHORIZES VALERIE MARVIN. ESQ. AS HEARING OFFICER IN THE MATTER OF A DISCIPLINARY PROCEEDING AGAINST A TOWN EMPLOYEE

COUNCILMAN KENT

offered the following resolution, was seconded by

COUNCILMAN LULL :

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes Valerie Marvin, Esq. as a hearing officer to consider disciplinary charges against a Town employee and suspending that employee without pay pursuant to the terms of the CSEA Collective Bargaining Agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor; Gary Pendzick, Water District Superintendent; John J. Hansen, Financial Administrator; C.S.E.A.; Richard K. Zuckerman, Esq. and the Town Attorney.

THE VOTE *absent*

Densieski  Yes \_\_\_ No \_\_\_ Cardinals \_\_\_ Yes \_\_\_ No \_\_\_

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

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

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ADCPTED

4/\_\_\_/01

TOWN OF RIVERHEAD

Adopted

Resolution # 377

CLASSIFYING THE TOWN OF RIVERHEAD'S PILOT RECLAMATION/CAPPING PROJECT AT THE YOUNG'S AVENUE LANDFILL IN ACCORDANCE WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

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

WHEREAS the Town has previously entered into a Court-ordered Stipulation of Settlement with the New York State Department of Environmental Conservation Department, dated October 5, 1994, in the proceeding "Town of Riverhead v. The Department of Environmental Conservation of the State of New York," Suffolk County Index No. 91-19049; and

WHEREAS the Stipulation Settlement requires, among other things, that the Town close its Youngs Avenue Landfill in accordance with the Compliance Schedule contained in the Court-ordered Stipulation of Settlement; and

WHEREAS the Town; through its consultants, Young & Young, has prepared a Landfill Reclamation Pilot Project Work Plan in compliance with the Court-ordered Stipulation of Settlement; and

WHEREAS the workplan as been approved by the Department of Environmental Conservation; and

WHEREAS the Town is required to implement that workplan; pursuant to the Court-ordered Stipulation of Settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Riverhead hereby determines that the implementation of the Landfill Reclamation Pilot Project Work Plan, as approved by the New York State Department of Conservation in accordance with the Court-ordered Stipulation of Settlement dated October 5, 1994, is a Type II action under the State Environmental Quality Review Act and therefore not subject to review under SEQRA; and it is further

RESOLVED that the Town Clerk is hereby directed to forward a certified copy of this resolution to Thomas C. Wolpert, P.E., c/o Young & Young; Kenneth Testa, P.E.; Frank A. Isler, Esq.; Thomas Rothman, Esq. and the Town Attorney.

THE VOTE  
Densieski  Yes \_\_\_ No \_\_\_ Cardinale  Yes \_\_\_ No \_\_\_  
Kent  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Kozaldewicz  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY ADOPTED

4/3/01

TOWN OF RIVERHEAD

Resolution # 378

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN  
TOWN OF RIVERHEAD AMBULANCE DISTRICT AND THE RIVERHEAD  
VOLUNTEER AMBULANCE CORPS, INC.**

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN KENT :

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Supervisor is hereby authorized to execute an Agreement between the Town of Riverhead Ambulance District and the Riverhead Volunteer Ambulance Corps, Inc. in connection with the provision of emergency medical and related emergency services (substantially in the form attached hereto); and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to John J. Hansen, Financial Administrator and Bruce Talmage, President, RVAC.

<b>THE VOTE</b>			
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale <i>absent</i>
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	

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

Adopted

4/3/01

TOWN OF RIVERHEAD

Resolution # 379

APPOINTS MEMBERS TO THE BOARD OF TRUSTEES OF RIVERHEAD THEATRE CORPORATION

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

WHEREAS, on January 9, 2001, the Town of Riverhead entered into a management agreement with the Riverhead Theatre Corporation pursuant to which the Riverhead Theatre Corporation will manage the Suffolk Theatre for a five year term which five year term commences with the Opening Day of the Theatre, and

WHEREAS, pursuant to the aforementioned agreement, the Riverhead Theatre Corporation has designated two seats on its Board of Trustees for appointees of the Town, and

WHEREAS, the Town desires to appoint Jean Lum and Dawn C. Thomas, Esq., to the Board of Trustees of the Riverhead Theatre Corporation, and

NOW, THEREFORE, BE IT

RESOLVED that Jean Lum and Dawn C. Thomas, Esq. are hereby appointed to the Board of Trustees of the Riverhead Theatre Corporation, and

BE IT FURTHER

RESOLVED that the Town of Riverhead agrees to indemnify and hold harmless its appointees from any liability incurred by reason of their appointment to and service on the Board of Trustees of the Riverhead Theatre Corporation, and

BE IT FURTHER

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to Jean Lum, c/o Town of Riverhead Accounting Department, 200 Howell Avenue, Riverhead, New York and Dawn C. Thomas, Esq. c/o Town Attorney's Office, 200 Howell Avenue, Riverhead,

**THE VOTE**

Densieski  Yes  No    Cardinale  Yes  No

Kent  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

New York, and Riverhead Theatre Corporation, P.O. Box 1644,  
Riverhead, New York 11901.

RESOLUTION NO. 380

072113-03166P

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 April 3, 2001, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Kozakiewicz, and upon roll being called, the following were

PRESENT: Supervisor Robert Kozakiewicz  
 Councilman Edward Densieski  
 Councilman Christopher Kent  
 Councilman James Lull

ABSENT: Councilman Philip Cardinale

The following resolution was offered by Councilman

COUNCILMAN LULL

, who moved its adoption, seconded by Councilman

COUNCILMAN KENT

, to-wit:

BOND RESOLUTION DATED APRIL 3, 2001.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,900,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF A PHASE I PILOT PROJECT FOR THE CAPPING AND/OR RECLAMATION OF THE YOUNGS AVENUE LANDFILL, IN AND FOR SAID TOWN.

WHEREAS, on October 5, 1994, the Town of Riverhead entered into a court-ordered Stipulation of Settlement with the New York State Department of Environmental Conservation in a proceeding entitled Town of Riverhead v. The Department of Environmental Conservation of the State of New York, Suffolk County Index No. 19-19049, which Stipulation of Settlement requires, among other things, that the Town of Riverhead close its Youngs Avenue Landfill in accordance with a "compliance schedule" contained in such Stipulation of Settlement; and

WHEREAS, a Phase I Pilot Project for the capping and/or reclamation of said Youngs Avenue Landfill has been proposed by the Town's consulting engineers, which Phase I Pilot Project for the capping and/or reclamation of the Youngs Avenue Landfill is in accordance with said Stipulation of Settlement and, in particular, is in accordance with the Landfill Reclamation Pilot Project Work Plan, last dated February 15, 2001 and approved by the New York State Department of Environmental Conservation, Division of Solid and Hazardous Materials, Region One, on February 20, 2001; and

WHEREAS, the Town Board has previously determined that the implementation of the aforesaid Phase I Pilot Project for the capping and/or reclamation of the Youngs Avenue Landfill, as approved by the New York State Department of Environmental Conservation in accordance with the aforescribed Stipulation of Settlement, is a Type II Action under the State Environmental Quality Review Act and the Regulations promulgated thereunder and, therefore, is not subject to further review under the State Environmental Quality Review Act; and

WHEREAS, all other conditions precedent to the construction and financing of the aforesaid Phase I Pilot Project for the capping and/or reclamation of the Youngs Avenue Landfill have been complied with or otherwise satisfied; and

WHEREAS, it is now desired to authorize the issuance of obligations to pay the cost of the aforesaid Phase I Pilot Project for the capping and/or reclamation of the Youngs Avenue Landfill; 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 Phase I Pilot Project for the capping and/or reclamation of the Youngs Avenue Landfill of the Town of Riverhead, Suffolk County, New York, as more fully described in the preambles hereof and including the excavation, processing and disposal of approximately 520,000 cubic yards of landfill materials from the east side of the Youngs Avenue Landfill, separation of such excavated materials into soil and waste components for reuse, recycling and/or disposal, the acquisition of land or rights-in-land therefor and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$5,900,000 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 objects or purposes is \$5,900,000, and that the plan for the financing thereof is by the issuance of the \$5,900,000 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 6-b 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 including, but not limited to, the power to sell said serial bonds to the New York State Environmental Facilities Corporation; 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. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to

the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds and, or notes without resorting to further action of this Town Board.

Section 12. 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 13. 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 14. This resolution, which takes effect immediately in accordance with the Stipulation of Settlement described in the preambles hereof, shall be published in full in 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.

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

_____	VOTING	_____

The resolution was thereupon declared duly adopted.

\* \* \* \*

**THE VOTE**

Deneesh	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> 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 April \_\_\_\_, 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

times Review

April 6, 2001

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

Town Clerk's Bulletin board

April 4, 2001

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on April 4, 2001.



Town Clerk

(CORPORATE  
SEAL)

**COUNCILMAN KENT** offered the following Resolution which was seconded by  
**COUNCILMAN LULL**

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 757,022.09	\$ 757,022.09
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ 140.00	\$ 140.00
RECREATION PROGRAM	006	\$ -	\$ 1,122.59	\$ 1,122.59
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	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 2,401.89	\$ 2,401.89
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ 1,815.03	\$ 1,815.03
HIGHWAY	111	\$ -	\$ 96,834.27	\$ 96,834.27
WATER	112	\$ -	\$ 233,026.03	\$ 233,026.03
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 28,827.48	\$ 28,827.48
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 5,742.65	\$ 5,742.65
STREET LIGHTING	116	\$ -	\$ 10,137.86	\$ 10,137.86
PUBLIC PARKING	117	\$ -	\$ 3,881.86	\$ 3,881.86
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 238.80	\$ 238.80
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 185.87	\$ 185.87
CALVERTON SEWER DISTRICT	124	\$ -	\$ 45.70	\$ 45.70
WORKER'S COMPENSATION FUND	173	\$ -	\$ 8,255.59	\$ 8,255.59
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ 64,745.41	\$ 64,745.41
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 1,306.28	\$ 1,306.28
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	\$ -	\$ 7,579.26	\$ 7,579.26
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 2,413.41	\$ 2,413.41
SENIORS HELPING SENIORS	453	\$ -	\$ 1,393.93	\$ 1,393.93
EISEP	454	\$ -	\$ 1,033.76	\$ 1,033.76
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 13,983.68	\$ 13,983.68
MUNICIPAL GARAGE	626	\$ -	\$ 13,819.78	\$ 13,819.78
TRUST & AGENCY	*736*	\$ -	\$ 975,750.28	\$ 975,750.28
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 45,128.87	\$ 45,128.87
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 17,289.66	\$ 17,289.66
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
<b>TOTALS</b>		\$ -	\$ 2,294,122.03	\$ 2,294,122.03

**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**

RESOLUTION # 381 ABSTRACT #13-01 MARCH 29, 2001 (TBM 4/3/01)

COUNCILMAN KENT offered the following Resolution which was seconded by  
 COUNCILMAN LULI.

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 124,518.34	\$ 124,518.34
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ -	\$ -
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ 1,419.00	\$ 1,419.00
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 27.16	\$ 27.16
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ 52,863.10	\$ 52,863.10
WATER	112	\$ -	\$ 19,937.68	\$ 19,937.68
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 11,773.69	\$ 11,773.69
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 159,213.99	\$ 159,213.99
STREET LIGHTING	116	\$ -	\$ 2,691.26	\$ 2,691.26
PUBLIC PARKING	117	\$ -	\$ 1,167.45	\$ 1,167.45
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 203.72	\$ 203.72
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 161.31	\$ 161.31
CALVERTON SEWER DISTRICT	124	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ -	\$ 6,189.40	\$ 6,189.40
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ 5,092.82	\$ 5,092.82
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 2,004.41	\$ 2,004.41
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ 203.15	\$ 203.15
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ 1,052.75	\$ 1,052.75
GENERAL FUND DEBT SERVICE	384	\$ -	\$ 434.27	\$ 434.27
SCAVENGER WASTE DEBT	385	\$ -	\$ 60.83	\$ 60.83
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 98,164.97	\$ 98,164.97
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMP'S	441	\$ -	\$ -	\$ -
CHIPS	461	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ 66.51	\$ 66.51
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ -	\$ -
MUNICIPAL GARAGE	626	\$ -	\$ 8,462.02	\$ 8,462.02
TRUST & AGENCY	*735*	\$ -	\$ 12,771.52	\$ 12,771.52
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 3,999.03	\$ 3,999.03
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 12,106.94	\$ 12,106.94
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 524,686.32	\$ 524,686.32