

Town Clerk

Barbara Grattan

**TOWN BOARD MEETING
AGENDA
July 2nd, 2002**

ROBERT F. KOZAKIEWICZ, Supervisor

**Edward Densieski, Councilman
James Lull, Councilman**

**Barbara Blass, Councilwoman
Rose Sanders, Councilwoman**

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

ELECTED OFFICIALS

**Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Maryann Wowak Heilbrunn
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 E. Barnes, Jr.
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief David Hegermiller
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 June 4th & 18th, and Special Board Meetings of June 11th and 12th.

Gull-Sanders

REPORTS

Receiver of Taxes: Total Taxes collected to date: \$71,050,072.95

Town Clerk: Monthly Report for June, 2002

Building Dept.: Monthly Report for June, 2002

Juvenile Aid Bureau: Monthly Report for May, 2002

Police Department: Monthly report for April, 2002

Recreation Dept.: Monthly report for April, 2002

APPLICATIONS

Shows & Exhibition Permits: Samsonite at Tanger-Tent Sale
Radio Shack-Tent Sale-July 4th -7th
ABC Carpet & Home-tent Sale-July 19th -21st
Definite Weave-Tent Sale-July 19th - 28th
Timothy Hill Childrens' Ranch-Circus-July 29th & 30th \
World of Life Ministries-Street Fair-July 27th

CORRESPONDENCE

Nester Kramer: Subject: Sunken Ponds regarding the sand mining.

Petition: 41 Names requesting new signs be placed on Cedar & Locust Roads

Ayne Warner: Letter of resignation as an aide in the Senior Center

COMMITTEE REPORT

Demasiaki - Pet Adoption
Water Dept - Conserve Water

PUBLIC HEARINGS

SCHEDULED July 2nd , 2002

- 7:00 p.m. The Consideration of the Purchase of Development Rights of Agricultural Lands owned by Alan and Teresa Zilnicki, located south Of Reeves Avenue and east of Osborne Avenue.
- 7:05 p.m. The Purchase of Development Rights of agricultural lands owned by Robin Gibbs located south on Edwards Avenue, Calverton.
- 7:05 p.m. the Consideration of the Acceptance of a Donation to the Town of Riverhead of Property of approximately 245 acres located on Main Road, Aquebogue, owned by Martin Bass.
- 7:10 p.m. The Consideration of a proposed Local Law to amend Chapter 101 Vehicles & Traffic-Article IV-Traffic Control Signals-Section 101.9.1 No turn on Red.
- 7:20 p.m. The Consideration of a Local Law to Amend Chapter 108 entitled, "Zoning: Article XXV-Recreational District-Section 101-125 Uses.
- 7:25 p.m. The Consideration of a Local Law to amend Chapter 62 of the Town Code entitled, "Excavations."

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:

REGULAR TOWN BOARD MEETING:

- #686 Approves Application of Word of Life Ministries (Church related street fair)
- #687 Approves Application of Radio Shack
- #688 Approves the Application of ABC Carpet & Home (Tanger)
- #689 Approves the Application of Samsonite Company (Tanger)
- #690 Approves the Application of Infinite Weave, Inc. (Tanger)
- #691 Approves the Application of Jesus is Lord Church (Mary Totten)
- #692 Ratifies Appointment of a Fill-In Seasonal Park Attendant to the Recreation Department (K. Walters)
- #693 Appoints a Seasonal Park Attendant to the Recreation Department (A. McKay)
- #694 Appoints a Fill-In Lifeguard to the Recreation Department (J. O'Donoghue)
- #695 Appoints a Fill-In Lifeguard to the Recreation Department (J. Lyons)
- #696 Appoints a Fill-In Lifeguard to the Recreation Department (T. Cordzella)
- #697 Ratifies Appointment of a P/T Seasonal Recreation Aide/Skatepark to the Riverhead Recreation Dept. (M. Aug)
- #698 Ratifies Appointment of a P/T Seasonal Recreation Aide/Skatepark to the Riverhead Recreation Dept (A. Walter)
- #699 Ratifies Appointment of a Summer Recreation Aide Level I to the Recreation Dept. (E. Averette)
- #700 Appoints a Scorekeeper to the Recreation Dept. (G. Stawski)
- #701 Appoints a Park Attendant I to the Recreation Dept. (A. Messina)
- #702 Appoints a Seasonal Laborer in the Buildings & Grounds Dept. (J. Holmes)
- #703 Appoints Part Time Heavy Equipment Operator on Rotating Basis for the Yard Waste Program)
- #704 Appoints a Part-Time Driver/Messenger (L. O'Kula)
- #705 Appoints a Recreation Aide-Projectionist for the Business Improvement District (L. Hennessey)

- #706 Amending Employment Status of Deputy Town Attorney (S. DeSimone)
- #707 Changes Employment Status of Deputy Town Attorney (S. Walter)
- #708 Accepts Performance Bonds of Mid Road Properties, LLC (Land Clearing)
- #709 Authorizes the Release of Performance Bond of Pondview Associates LLC (Saddle Lakes Phase I)
- #710 Authorizes Submission of Application to New York State DOT Regarding Industrial Access Program
- #711 Adopts a Local Law to Amend Chapter 101 Entitled, "Vehicles & Traffic" of the Riverhead Town Code
- #712 Authorization to Retire Fixed Assets
- #713 Authorization to Retire Fixed Assets
- #714 Authorizes Town Supervisor to Submit an Application for Participation in the Certified Local Government Program of the NYS Office of Parks, Recreation and Historic Preservation
- #715 Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, "Trash, Rubbish and Refuse Disposal" of the Riverhead Town Code (18 Fanning Blvd.)
- #716 Authorizes the Supervisor to Execute an Agreement Between Town of Riverhead and Health Search, Inc. for the Administration of a Grant which will Provide Funds for the Installation of Smoke Detectors in Homes within the Town of Riverhead
- #717 Authorizes Supervisor to Request State for Speed Zone Change (Northville Turnpike)
- #718 General Fund Budget Adjustment
- #719 748 Osborn Avenue Chapter 96 Capital Project Budget Adoption
- #720 731 ½ West Main Street Chapter 96 Capital Project Budget Adoption
- #721 417-425 West Main Street Chapter 54 Capital Project Budget Adoption
- #722 Princess Laundry Sewer Capital Project Budget Adoption
- #723 Highway Department Budget Adjustment
- #724 Municipal Garage Building Improvement Budget Adjustment
- #725 Refuse & Garbage District Budget Adjustment

- #726 Business Improvement District Budget Adjustment
- #727 Community Development Block Grant Budget Adoption
- #728 Youth Court Scholarship Budget Adjustment
- #729 Authorizes the Town Clerk to Publish and Post for a Public Hearing to Consider the Application of Hound's Gate Condominium, for an Exemption Pursuant to Riverhead Town Code Section 109-007
- #730 Authorizes the Town Clerk to Publish and Post a Public Notice for a Public Hearing to Consider the Application of Mountain Brook Homes at Roanoke Landing, LLC, for an Exemption Pursuant to Riverhead Town Code Section 109-007
- #731 Authorizes the Town Clerk to Publish and Post a Public Notice for a Public Hearing to Consider the Application of Country Trails (L.I. Tech Developing Corp.) for an Exemption Pursuant to Riverhead Town Code Section 109-007
- #732 Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of Development Rights of a Parcel(s) Located in the Town of Riverhead (Benny Gatz)
- #733 Re-Refers Special Permit Petition of J. Douglas and Agnes Stark (Glenwood Oakes) to the Planning Board and Authorizes Town Clerk to Publish and Post Notice of Public Hearing
- #734 Authorizes Town Clerk to Publish and Post Public Hearing Notice to Consider the Demolition of Building(s) Owned by William Jenkins Pursuant to Chapter 54 of the Code of the Town of Riverhead Entitled, "Unsafe Building(s) and Collapsed Structures"
- #735 Authorizes Supervisor to Execute HOME Rehabilitation Agreement with Suffolk County for Additional Home Improvement Program Funds
- #736 Amends Site Plan of Wading River Plaza-Bank of Smithtown Branch
- #737 Approves Site Plan of Riverhead Charter School
- #738 Classifies Action and Declares Lead Agency on Special Permit of T-Jay's Transmission, and Refers Petition to the Planning Board
- #739 Ratifies the Authorization of the Town Clerk to Re-Post and Re-Publish a Notice to Bidders for East End Art Council Site Handicap Accessibility Modifications
- #740 Authorizes Town Clerk to Advertise for Bids-Construction of Plant #11-GC & Mechanical Work-RWD
- #741 Awards Bid for Corrosion Control Chemical

- #742 Awards Bid for Repainting of Pulaski Street Tank- RWD
- #743 Awards Bid for Extension No. 56-Sunken Ponds Estates, Section 2
- #744 A Resolution Authorizing the Issuance of an Additional \$5,000
Serial Bonds for the Town of Riverhead to Pay the Additional Costs
of the Reconstruction of the Roof of the Highway
Barn/Administrative Office Building on Osborn Avenue in and For
Said Town
- #745 Amends Elevations of Plan of Robert Patchell
- #746 Supports "One Nation Under God"
- #747 Pays Bills

Adopted

7/2/02

TOWN OF RIVERHEAD

Resolution # 686

APPROVES APPLICATION OF WORD OF LIFE MINISTRIES (CHURCH RELATED STREET FAIR)

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, Word of Life Ministries has submitted an application for the purpose of conducting a church related street fair to be held in the Peconic Riverfront municipal parking lot, Riverhead, New York, on Saturday, July 27, 2002 between the hours of 11:00 a.m. and 5:00 p.m., having a rain date of August 3, 2002; and

WHEREAS, the applicant has requested the application fee be waived; 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 regarding said application.

NOW THEREFORE BE IT RESOLVED, that the application of Word of Life Ministries for the purpose of conducting a church related street fair to be held in the Peconic Riverfront municipal parking lot, Riverhead, New York, on Saturday, July 27, 2002 between the hours of 11:00 a.m. and 5:00 p.m., having a rain date of August 3, 2002, is hereby approved; and be it further

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

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Word of Life Ministries, 10 Peconic Avenue, Riverhead, New York, 1190; the Riverhead Fire Marshal and the Riverhead Police Department.

D:\Laura\chap90\Wordoflife.res.doc

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Danzieski	<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

7/2/02

TOWN OF RIVERHEAD

Reso' tion # 687

APPROVES APPLICATION OF RADIO SHACK

COUNCILMAN DENESI offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, Radio Shack has submitted an application for the purpose of erecting a tent for the display and sale of their products at the location of 1081 Old Country Road, Riverhead, New York, to be held on July 4, 2002 through July 7, 2002 between the hours of 8:00 a.m. and 6:00 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 Radio Shack for the purpose of erecting a tent for the display and sale of their products at the location of 1081 Old Country Road, Riverhead, New York, to be held on July 4, 2002 through July 7, 2002 between the hours of 8:00 a.m. and 6:00 p.m., is hereby approved; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Radio Shack, 1081 Old Country Road, Riverhead, New York, 11901; the Riverhead Fire Marshal and the Riverhead Police Department.

THE VOTE

Sanders ✓ Yes ___ No Blass ✓ Yes ___ No
 Densieski ✓ Yes ___ No Lull ✓ Yes ___ No
 Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

7/2/02

TOWN OF RIVERHEAD

Resolution # 688

APPROVES THE APPLICATION OF ABC CARPET & HOME (TANGER)

Councilman Blass offered the following resolution, was seconded by
Councilman Lull :

WHEREAS, ABC Carpet & Home has submitted an application for the purpose of conducting a tent sale to be held at Tanger II, Tanger Outlet Center, 1770 West Main Street, Riverhead, New York, on July 19, 2002 through July 21, 2002 between the hours of 9:00 a.m. and 9:00 p.m., Friday and Saturday and 10:00 a.m. and 8:00 p.m. on Sunday; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of ABC Carpet & Home for the purpose of conducting a tent sale to be held at Tanger II, Tanger Outlet Center, 1770 West Main Street, Riverhead, New York, on July 19, 2002 through July 21, 2002 between the hours of 9:00 a.m. and 9:00 p.m., Friday and Saturday and 10:00 a.m. and 8:00 p.m. on Sunday, is hereby approved; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to ABC Carpet & Home, 888 Broadway, New York, New York, 10003; the Riverhead Fire Marshal and the Riverhead Police Department.

THE VOTE
Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopted

7/2/02

TOWN OF RIVERHEAD

Resolution # 689

APPROVES THE APPLICATION OF SAMSONITE COMPANY (TANGER)

COUNCILWOMAN BLASS

_____ offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, Samsonite Company has submitted an application for the purpose of conducting a tent sale to be held at the Tanger I Outlet Center, Tanger Drive, Riverhead, New York, on July 3, 2002 through July 8, 2002, (Wednesday, Thursday, Friday, Saturday and Monday) between the hours of 9:00 a.m. to 9:00 p.m. and between the hours of 10:00 a.m. to 8:00 p.m. on Sunday; 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 Samsonite Company for the purpose of conducting a tent sale to be held at the Tanger I Outlet Center, Tanger Drive, Riverhead, New York, on the aforementioned following dates and times, is hereby approved; and be it further

RESOLVED, that the tent(s) must be removed at the end of business on July 8, 2002; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal must be contacted at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Samsonite Company, 1770 West Main Street, Riverhead, New York, 11901; the Riverhead Fire Marshal and the Riverhead Police Department.

D:\Laura\chap90\samsonite.res.doc

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<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

7/2/02

TOWN OF RIVERHEAD

Resolution # 690

APPROVES THE APPLICATION OF INFINITE WEAVE, INC. (TANGER)

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN DENYESKI :

WHEREAS, Infinite Weave, Inc. has submitted an application for the purpose of conducting a tent sale to be held at Tanger I, Tanger Outlet Center, (Liz Claiborne parking lot) 1770 West Main Street, Riverhead, New York, on July 19, 2002 through July 28, 2002 between the hours of 9:00 a.m. and 9:00 p.m., Monday through Saturday and 10:00 a.m. and 7:00 p.m. on Sunday; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Infinite Weave, Inc. for the purpose of conducting a tent sale to be held at Tanger I, Tanger Outlet Center, (Liz Claiborne parking lot) 1770 West Main Street, Riverhead, New York, on July 19, 2002 through July 28, 2002 between the hours of 9:00 a.m. and 9:00 p.m., Monday through Saturday and 10:00 a.m. and 7:00 p.m. on Sunday, is hereby approved; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Infinite Weave, Inc., 457 7th Street, Palisades Park, New Jersey, 07650, Attn: Andrew DiMatos; the Riverhead Fire Marshal and the Riverhead Police Department.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Adopted

7/2/02

TOWN OF RIVERHEAD

Resolution # 691

APPROVES APPLICATION OF JESUS IS LORD CHURCH (MARY TOTTEN)

COUNCILMAN DENESIESKI

_____ offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, Jesus is Lord Church (Mary Totten) has submitted an application for the purpose of conducting religious services to be located at the John Lombardi Memorial Park, Roanoke Avenue and 1st Street, Riverhead, New York, to be held on July 20, 2002, between the hours of 1:00 p.m. and 3:00 p.m., having a rain date of July 27, 2002; and

WHEREAS, the applicant has requested the application fee be waived; 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 Jesus is Lord Church (Mary Totten) for the purpose of conducting religious services to be located at the John Lombardi Memorial Park, Roanoke Avenue and 1st Street, Riverhead, New York, to be held on July 20, 2002, between the hours of 1:00 p.m. and 3:00 p.m., having a rain date of July 27, 2002 is hereby approved; and be it further

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

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. Jesus is Lord Church shall contact the Riverhead Fire Marshal at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jesus is Lord Church, 341 Long Island Avenue, Holtsville, New York, 11742, Attn: Mary Totten; the Riverhead Fire Marshal and the Riverhead Police Department.

THE VOTE

Sanders	✓	Yes	___	No	Bless	✓	Yes	___	No
Densieski	✓	Yes	___	No	Lull	✓	Yes	___	No
Kozakiewicz	✓	Yes	___	No			Yes	___	No

THE RESOLUTION WAS WAS NOT

Adopted

7/2/2002

TOWN OF RIVERHEAD

Resolution # 692

RATIFIES APPOINTMENT OF A SEASONAL PART TIME RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

Councilwoman Sanders offered the following resolution, which was seconded by Councilman Lull

RESOLVED, that Kim Walters is hereby appointed to serve as a P/T Seasonal Recreation Aide effective June 24, 2002 to and including September 2, 2002, to be paid at the rate of \$7.50 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 the start date.

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 Sanders Yes No Blast Yes No Densieski Yes No Lull Yes No Kozakiewicz Yes No THE RESOLUTION WAS WAS NOT THEREUPON DULY ADOPTED

7/2/2002

TOWN OF RIVERHEAD

Resolution # 693

**RATIFIES APPOINTMENT OF A SEASONAL PART TIME
RECREATION AIDE TO THE RIVERHEAD
RECREATION DEPARTMENT**

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

RESOLVED, that Anna McKay is hereby appointed to serve as a P/T Seasonal Recreation Aide effective July 2, 2002 to and including September 2, 2002, to be paid at the rate of \$7.50 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 the start date.

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
Senders Yes ___ No ___ Blass Yes ___ No ___
Densieski Yes ___ No ___ Lull Yes ___ No ___
Kozakiewicz Yes ___ No ___
THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

7/2/02

TOWN OF RIVERHEAD

Resolution # 694

**APPOINTS A FILL-IN LIFEGUARD
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN DENESKI offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

RESOLVED, that John O'Donoghue is hereby appointed to serve as a Fill-in Lifeguard effective July 7, 2002 to and including September 2, 2002, to be paid at the rate of \$9.00 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):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.
2. Subject to Suffolk County Lifeguard Certifications.
3. Current CPR Certifications

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.

1

THE VOTE

Sanders Yes No Blass Yes No
Deneski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

¹ Rec. Doris/ Resolution Fill-in Lifeguard. Tom Cordzella

7/2/02

TOWN OF RIVERHEAD

Resolution # 695

**APPOINTS A FILL-IN LIFEGUARD
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN DENESKI offered the following resolution,

which was seconded by **COUNCILWOMAN SANDERS**

RESOLVED, that James Lyons is hereby appointed to serve as a Fill-in Lifeguard effective July 3, 2002 to and including September 2, 2002, to be paid at the rate of \$9.00 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):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.
2. Subject to Suffolk County Lifeguard Certifications.
3. Current CPR Certifications

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

Sanders Yes No Blass Yes No

Densleki Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

¹ Rec. Doris/ Resolution Fill-in Lifeguard. Tom Cordzella

7/2/02*

Adopted

TOWN OF RIVERHEAD

Resolution # 696

APPOINTS A FILL-IN LIFEGUARD
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

RESOLVED, that Tom Cordzella is hereby appointed to serve as a Fill-in Lifeguard effective July 7, 2002 to and including September 2, 2002, to be paid at the rate of \$9.00 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):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.
2. Subject to Suffolk County Lifeguard Certifications.
3. Current CPR Certifications

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

Sanders Yes ___ No ___ Blass Yes ___ No ___
 Densieski Yes ___ No ___ Luti Yes ___ No ___
 Kozakiewicz ___ Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

¹ Rec. Doris/ Resolution Fill-in Lifeguard. Tom Cordzella

Adopted

7/2/2002

TOWN OF RIVERHEAD

Resolution # 697

RATIFIES APPOINTMENT OF A SEASONAL PART TIME RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Matthew Aug is hereby appointed to serve as a P/T Seasonal Recreation Aide effective July 2, 2002 to and including September 2, 2002, to be paid at the rate of \$7.50 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 the start date.

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
Senders Yes ___ No ___ Blazo Yes ___ No ___
Densieski Yes ___ No ___ Lull Yes ___ No ___
Kozakiewicz Yes ___ No ___
THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

Adopted

7/2/2002

TOWN OF RIVERHEAD

Resolution # 698

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

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

RESOLVED, that Adnenne Walter is hereby appointed to serve as a P/T Seasonal Recreation Aide effective July 2, 2002 to and including September 2, 2002, to be paid at the rate of \$7.50 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 the start date.

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
Senders Yes No Blass Yes No
Densieski Yes No Luff Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopted

7/2/02

TOWN OF RIVERHEAD

Resolution # 699

RATIFIES APPOINTMENT OF A SUMMER RECREATION AIDE LEVEL I TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN LULL

RESOLVED, that Erica Averette is hereby appointed to serve as a Summer Recreation Aide Level I, effective July 1, 2002 to and including August 16, 2002 to be paid at the rate of \$7.50 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.

1

THE VOTE

Sanders Yes ___ No ___ Blass Yes ___ No ___
 Densieski Yes ___ No ___ Lull Yes ___ No ___
 Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

¹ Rec. Doris / Ratifies Res Sum Rec Aide I. Erica Averette

7/2/02

Adopted

TOWN OF RIVERHEAD

Resolution #700

APPOINTS A SCOREKEEPER TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILMAN DENYESKI

RESOLVED, that Greg Stawski is hereby appointed to serve as a Scorekeeper, effective July 2, 2002 to and including December 31, 2002 to be paid at the rate of \$6.50 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

Sanders Yes ___ No ___ Blass Yes ___ No ___
 Denieski Yes ___ No ___ Lull Yes ___ No ___
 Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

¹ Rec. Doris/ Resolution. Scorekeeper.Greg Stawski

Adopted

7/2/02

TOWN OF RIVERHEAD

Resolution # 701

APPOINTS A PARK ATTENDANT I
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN SANDERS

offered the following resolution,

which was seconded by COUNCILMAN DENISE SKO

RESOLVED, that Anthony Messina is hereby appointed to serve as a Park Attendant I effective July 2, 2002 to and including December 31, 2002, to be paid at the rate of \$7.00 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.

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

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densleski	<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

¹ Rec. Doris/ Resolution Park Attend I Anthony Messina

*
July 2, 2002

Adopted

TOWN OF RIVERHEAD
RESOLUTION # 702
APPOINTS SEASONAL LABORER
IN BUILDINGS AND GROUNDS DEPARTMENT

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

WHEREAS, the Buildings & Grounds Division has requested a seasonal employee to assist in the added work associated with the summer months; and

WHEREAS, it is the recommendation of the Town Engineer that we appoint Jermaine Holmes to the position of seasonal laborer.

NOW, THEREFORE, BE IT RESOLVED, that effective July 3, 2002, the Town Board hereby authorizes the appointment of Jermaine Holmes to the position of Seasonal Laborer in the Buildings and Ground Division at an hourly rate of \$11.00; and

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

THE VOTE
Sanders Yes ___ No ___ Blass Yes ___ No ___
Densieski Yes ___ No ___ Lull Yes ___ No ___
Kozaklewicz Yes ___ No ___
THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

JULY 2, 2002

TOWN OF RIVERHEAD

703

APPOINTS PART TIME HEAVY EQUIPMENT OPERATOR ON
ROTATING BASIS FOR THE YARD WASTE PROGRAM

COUNCILMAN LULL offered the following resolution,
which was seconded by COUNCILWOMAN BLASS

WHEREAS, the Town created the Yard Waste Program and transferred one full time employee into that department, and

WHEREAS, weekend hours of operation for this facility are needed to provide improved services to the residents of the Town, and

WHEREAS, the positions of part time Heavy Equipment Operator were created to cover these hours and were duly posted as required by the CSEA Collective Bargaining Agreement, and

WHEREAS, nine current employees were appointed effective June 22, 2002 on a rotating shift schedule, and

WHEREAS, five additional current employees expressed interest in their names being placed on the rotating shift schedule,

NOW, THEREFORE, BE IT RESOLVED, that Donald Owen, Arthur Fogal, William Fink, Edward Reeve and Michael Zaleski are hereby appointed to the part time position of Heavy Equipment Operator at an hourly rate of \$15/hour effective July 6, 2002, and

BE IT FURTHER, RESOLVED, that the Town is hereby directed to forward a copy of this resolution to all the above employees, John Reeve and the Accounting Department.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

July 2, 2002

*

TOWN OF RIVERHEAD

APPOINTS A PART TIME DRIVER/MESSENGER

RESOLUTION # 704

COUNCILWOMAN BLASS _____ offered the following Resolution which was
seconded by _____ COUNCILWOMAN SANDERS _____.

WHEREAS, Richard Stiegler has resigned from the part time Driver/Messenger position creating a vacancy, and

WHEREAS, the job was duly posted and advertised for and the Personnel Committee interviewed all interested applicants, and

NOW THEREFORE BE IT RESOLVED, that the Town Board appoints Linda O’Kula to the position of part time Driver/Messenger at the rate of \$9.8097 per hour, effective July 8, 2002, and

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

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

JULY 2, 2002

TOWN OF RIVERHEAD

705

APPOINTS A RECREATION AIDE - PROJECTIONIST FOR THE BUSINESS IMPROVEMENT DISTRICT

COUNCILMAN DENESKI offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, the Business Improvement District needs a projectionist for the summer movie series,

NOW, THEREFORE, BE IT RESOLVED, that Laurie Hennessey be appointed as a recreation aide - projectionist for the Business Improvement District at the rate of \$40.00 per hour, effective July 3 through September 5, 2002, and

BE IT FURTHER, RESOLVED that this position is effective upon completion of all the necessary employment paperwork, to be completed in the Office of Accounting, and

BE IT FURTHER, RESOLVED, that the Town is hereby directed to forward a copy of this resolution to Laurie Hennessey, the Riverhead Business Improvement District and the Accounting Department.

THE VOTE

Abstain Sanders [X]Yes [X]No Blass [X]Yes []No Densieski [X]Yes []No Lull [X]Yes []No Kozakiewicz [X]Yes []No

TOWN OF RIVERHEAD

Resolution # 706

AMENDING EMPLOYMENT STATUS
OF DEPUTY TOWN ATTORNEY

COUNCILMAN DENSIESKI

offered the following resolution, was seconded

by

COUNCILMAN LULL

WHEREAS, The Town Board has previously adopted resolutions #374 dated April 3, 2001 and resolution #753 dated July 3, 2001 which established the compensation, benefits and hours of work of the Deputy Town Attorney Scott DeSimone, Esq.; and

WHEREAS, these resolutions extend vacation time of six days per year; and

WHEREAS, these resolutions extend sick time of 1.25 days per month; and.

WHEREAS, these resolutions were silent as to holidays;

NOW THEREFORE BE IT RESOLVED, the Town Board hereby declares that for the purposes of these resolutions, a vacation day is equivalent to seven hours and any unused vacation days may be carried forward into the next succeeding year. A sick day is equivalent seven hours and the Scott DeSimone is entitled to take all official Town designated holidays and that a holiday is equivalent to seven hours; and be it

RESOLVED, that the Financial Administrator shall consider the foregoing retroactively in accordance with all previously adopted resolutions dating back to date of hire for the deputy Town Attorneys; and be it further

RESOLVED, the Town Clerk be and is hereby directed to forward a copy of this resolution to the Town Attorney, each deputy Town Attorney and Jack Hansen Financial Administration.

COUNCILWOMAN SANDERS OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILWOMAN BLASS;

THE VOTE: BLASS, YES, SANDERS, YES, DENSIESKI, NO, LULL, NO AND KOZAKIEWICZ, NO

THE RESOLUTION WAS THEREUPON DECLARED NOT TO BE TABLED.

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION TO BE ADOPTED, WHICH WAS SECONDED BY COUNCILMAN LULL. THEREUPON ADOPTED

THE VOTE: SANDERS, NO, BLASS, ABSTAIN, DENSIESKI, YES, LULL, YES, AND KOZAKIEWICZ, YES. RESOLUTION THEREUPON DECLARED ADOPTED.

THE VOTE
Sanders ___ Yes ___ No ___ Blass ___ Yes ___ No
Densieski ___ Yes ___ No ___ Lull ___ Yes ___ No
Kozakiewicz ___ Yes ___ No

July 2, 2002
*

1317
Adopted

TOWN OF RIVERHEAD

Resolution # 707

**CHANGES EMPLOYMENT STATUS
OF DEPUTY TOWN ATTORNEY**

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

WHEREAS, in an effort to reduce the legal expenses of the Town, the Town Board on January 15, 2002, appointed Sean M. Walter, Esq., as full time Deputy Town Attorney for a six month period ending July 14, 2002; 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 Attorney commenced work in a full time capacity; and

WHEREAS, it is the Town Board's desire to have an individual in the Office of the Town Attorney to aggressively pursue the acquisition of development rights and other undeveloped real property within the Town of Riverhead; and

WHEREAS, the Town Board wishes to employ Sean M. Walter in a full time capacity as Deputy Town Attorney wherein Mr. Walter devotes at least 17.5 hours per week in the pursuit the acquisition of development rights and other undeveloped real property within the Town of Riverhead.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that commencing July 15, 2002, Sean M. Walter, Esq. shall be employed in a Civil Service exempt position as a full time Deputy Town Attorney at a rate of \$60,000.00 for the calendar year 2002; and be it further

BE IT FURTHER, RESOLVED, that the terms and conditions of the following Articles of the Labor Contract between the Town of Riverhead and the Civil Service Employees Association for 2001 – 2003 are hereby incorporated into this resolution by reference as modified by this resolution:

- | | | |
|-------------|---------------|--|
| Article III | Hours of Work | (omitting Section 2. Overtime) |
| Article IV | Vacation | (amending Section 2 to include 70 hours of vacation per calendar year) |
| Article V | Sick Leave | (amending Section 1 to be 1.5 days per month and omitting Section 2) |

* and allowing the payment of all unused sick time at 100 percent at severance)

- Article VIII Grievance Procedure
- Article IX Pension and Longevity
- Article X Health Insurance (the Health Insurance provisions are amended so that Sean M. Walter, Esq., shall immediately receive hospitalization, dental and optical insurance benefits, which benefits will be paid for by the Town of Riverhead)
- Article XII General Provisions (only Sections 1, 7, 8, 9, 10, 12, 13 and 19)
- Article XV Wages (only Section 11)
- Article XVI Dress Code
- Article XVII Drug and Alcohol Testing

The Town will offer a Universal Life Insurance Policy and a disability insurance policy. Sean M. Walter may, at his option, choose the life insurance or the disability insurance or both. The cost of these policies to the Town may not exceed \$2,500. Any additional cost may be supplemented by Sean M. Walter via a payroll deduction. The cost will be adjusted yearly based on the Consumer Price Index for the New York and Northeastern New Jersey area for all urban Consumers as produced by the U.S. Department of Labor, Bureau of Labor Statistics. The base year to be used will be 1989.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Sean M. Walter and the Riverhead Accounting Department.

THE VOTE

Sanders Yes ___ No ___ Blass Yes ___ No ___
 Densieski Yes ___ No ___ Lull Yes ___ No ___
 Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution #708

ACCEPTS PERFORMANCE BONDS OF MID ROAD PROPERTIES, LLC(LAND CLEARING)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, Land Improvement Corp., for Mid Road Properties, LLC has posted a Performance Bond in the sum of Seventy Five Thousand Dollars (\$75,000) representing the 5% site plan bonds for Single Family Residential Retirement Homes at Middle Road, Calverton, New York Suffolk County Tax Map # 600-081.00-01-001.01, 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 their 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 Seventy Five Thousand Dollars (\$75,000) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Mid Road properties, LLC, John McInerney, EAB Plaza, West Tower, 15th Floor, Uniondale, New York 11556-0102, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

7/02/02

1320
Adopted

TOWN OF RIVERHEAD

Resolution # 709

AUTHORIZES THE RELEASE OF PERFORMANCE BOND OF PONDVIEW ASSOCIATES LLC (SADDLE LAKES) PHASE I

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by

COUNCILMAN LULL

WHEREAS, Pond View Associates LLC, Saddle Lakes Condominiums, Phase I, posted a surety bond (#025002814) the sum of One Hundred Thirty Seven Thousand Three Hundred Fifty Six Dollars (\$137,356.00) pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction and Certificates of Occupancy have been issued for said construction

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the surety bond (#025002814) in the sum of One Hundred Thirty Seven Thousand Three Hundred Fifty Six Dollars (\$137,356.00) and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., PO Box 779, Riverhead, New York 11901, the Building Department; the Accounting Department, the Town Clerk and the Town Attorney's Office.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

7/2/02

Adopted

Town of Riverhead

Resolution # 710

Authorizes Submission of Application to New York State DOT Regarding Industrial Access Program

COUNCILMAN LULL

offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS:

WHEREAS, by Public Law 103-c337 the U.S. Navy was authorized to transfer the property formerly known as the Naval Weapons Industrial Reserve Plant to the Town of Riverhead CDA for the purposes of economic redevelopment; and

WHEREAS, on September 10, 1998, following the development of a Comprehensive Reuse Plan by the Town of Riverhead and a Generic Environmental Impact Statement by the U.S. Navy, approximately 2,500 acres of the 2,900 acre parcel was transferred to the CDA; and

WHEREAS, on September 7, 1999 the Town Board of the Town of Riverhead adopted zoning districts known as the Planned Industrial Park District and the Planned Recreational Park District to encourage redevelopment of the site and the creation of jobs and tax revenues for the Town of Riverhead, Suffolk County and New York State; and

WHEREAS, the Planned Industrial Park District is comprised of approximately one million square feet of industrial buildings and the potential for construction of approximately two million additional square feet of industrial and office space; and

WHEREAS, more than 700,000 square feet of space has been sold and is occupied by industrial / manufacturing users having created approximately 250 jobs; and

WHEREAS, businesses located at the Calverton Enterprise Park include Mivala Foods and Kamco Supply, both having made substantial investment at the industrial park in the Town of Riverhead; and

WHEREAS, the site is improved with a rail spur, now owned by the CDA, that was previously utilized to transport materials to the industrial park; and

WHEREAS, the rail spur has been unutilized for approximately 20 years and requires rehabilitation in order to be put into service; and

* **WHEREAS**, the companies located at the industrial park desire to improve the efficiency and cost-effectiveness of their freight transportation by utilizing the rail system and Mivala Foods and Kamco Supply, specifically, have requested that the Town of Riverhead act as the sponsor for an application to the New York State DOT for funding assistance under the Industrial Access Program; and

WHEREAS, the Industrial Access Program requires that 40% of the assistance provided shall be repaid as a 5 year loan by the sponsor to the New York State DOT; and

WHEREAS, the beneficiary companies, Mivala Foods, Kamco Supply and New York & Atlantic Railway, have agreed to assume responsibility for repayment of the loan according to the terms stipulated by the DOT.

THEREFORE, BE IT RESOLVED, that the CDA Board hereby authorizes the submission of an application to the New York State DOT for funding in the amount of \$1,000,000 (60% grant, 40% loan), conditioned upon commitments by Mivala Food, Kamco Supply and New York & Atlantic Railway to assume the loan amount in the amount of \$400,000 plus interest, if any, and the provision of legal guarantees satisfactory to the Town.

THEREFORE, BE IT FURTHER RESOLVED, that the Chairman is authorized to execute any and all documents necessary to procure said funding and to secure its repayment from the identified third parties.

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

THE VOTE

Banders Yes ___ No ___ Blass Yes ___ No ___
 Densleak Yes ___ No ___ Lull Yes ___ No ___
 Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

7/2/02

Adopted

TOWN OF RIVERHEAD

Resolution # 711

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

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN LULL

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 and Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 18th day of June, 2002 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 and 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 Suffolk County Life and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Highway Department; the Police Department and the Office of the Town Attorney.

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILWOMAN BLASS.

THE VOTE: Sanders, no, Blass, yes, Densieski, yes, Lull, no, and Kozakiewicz, no. RESOLUTION WAS DECLARED NOT TO BE TABLED.

Councilwoman Sanders offered the resolution for adoption, which was seconded by Councilman Lull.

The resolution was thereupon declared to be duly adopted.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input type="checkbox"/> Yes	<input checked="" 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

*

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead : lopted a local law amending Chapter 101 entitled, " Vehicles and Traffic" of the Riverhead Town Code at its regular meeting held on July 2, 2002 as follows:

§ 101-8. Weight limits.

No person shall operate a motor vehicle of a total weight of greater than 10,000 pounds upon the following designated town highways or part thereof, except local deliveries.

Street	Location
<u>Mill Road</u>	<u>1320 feet from the intersection of Rte 58 in a northerly direction to the intersection of Osborne Avenue</u>

Dated: Riverhead, New York
July 2, 2002

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

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

TOWN OF RIVERHEAD

*

AUTHORIZATION TO RETIRE FIXED ASSETS

RESOLUTION #712

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

WHEREAS, miscellaneous equipment and furniture that has been salvaged for parts and is no longer usable; and

WHEREAS, after careful consideration, it is the recommendation of the Accounting Department that this equipment and furniture has no residual value and should be discarded. The Accounting Department hereby requests that the Town Board excess this property so that it may be removed from the records.

NOW, THEREFORE BE IT

RESOLVED, that the Accounting Department is hereby authorized to discard the following items:

<u>Tag #</u>	<u>Description</u>	<u>Tag #</u>	<u>Description</u>
7857	Unisys CPU	21355	Mouse
7952	Unisys Keyboard	21450	Mouse
8012	Panasonic Printer	21678	Gateway Keyboard
8188	Unisys CPU	21862	Gateway Keyboard
8211	Keyboard	21863	Gateway Monitor
8660	Short Haul Modem - Airland Box	21870	Gateway Keyboard
9299	Unisys Keyboard	21894	Gateway Keyboard
10840	Unisys Monitor	21907	Mouse
20005	Dial Modem	21932	Gateway Keyboard
20009	Dial Modem	22057	Gateway Mouse
20029	Mouse	22327	Gateway Keyboard
20055	Unisys PS1	22664	Short Haul Modem - Airland Box
20537	Controller	22843	UPS
20538	Dial Modem	22848	UPS
20543	Hewlett Packard Printer	22865	Mouse
20554	Mouse	22933	Gateway Keyboard
20632	Dial Modem	22982	Mouse
20638	Dial Modem	23015	Gateway Keyboard
20953	Dial Modem	23050	Gateway Keyboard
20953	Modem	23153	Gateway Keyboard
21000	Mouse		
21001	Unisys Monitor		
21002	Unisys Monitor		

THE VOTE
 Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No
 THE RESOLUTION WAS WAS NOT
 THE TOWN BOARD DULY ADOPTED

July 2, 2002

1326

Adopted

TOWN OF RIVERHEAD

AUTHORIZATION TO RETIRE FIXED ASSETS

RESOLUTION #713

COUNCILWOMAN BLASS _____ offered the following resolution, which was seconded
by COUNCILMAN DENESKI _____.

WHEREAS, miscellaneous equipment and furniture that has been salvaged for parts and is no longer usable; and

WHEREAS, after careful consideration, it is the recommendation of the Accounting Department that this equipment and furniture has no residual value and should be discarded. The Accounting Department hereby requests that the Town Board excess this property so that it may be removed from the records.

NOW, THEREFORE BE IT

RESOLVED, that the Accounting Department is hereby authorized to discard the following items:

Tag #	Description
1046	Signal Corp. Power Unit Generator
575342	F935 John Deere Mower
HYW#55	Leaf Vac

THE VOTE

Sanders ✓ Yes ___ No ___ Blass ✓ Yes ___ No ___
 Deneski ✓ Yes ___ No ___ Lull ✓ Yes ___ No ___
 Kozakiewicz ✓ Yes ___ No ___

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

Adopted

July 2, 2002

TOWN OF RIVERHEAD

RESOLUTION # 714

AUTHORIZES TOWN SUPERVISOR TO SUBMIT AN APPLICATION FOR PARTICIPATION IN THE CERTIFIED LOCAL GOVERNMENT PROGRAM OF THE N.Y.S. OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

COUNCILMAN DENESKI offered the following resolution, which was

seconded by COUNCILWOMAN SANDERS

WHEREAS, pursuant to Chapter 73 of the Riverhead Town Code, adopted as Ordinance No. 44 on September 16, 1975, the Town of Riverhead seeks to conserve, protect and conserve places, sites, structures and buildings of special historic significance or which by reason of famous events, the antiquity or uniqueness of architectural construction and design are of particular significance to the heritage of the Town; and

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation, as the designated State Historic Preservation Office, administers the Certified Local Government (CLG) Program which is a program that principally offers grant funds and technical assistance to certified municipalities; and

WHEREAS, the State of New York designates 10% of its annual federal historic preservation allocation for grants exclusively to Certified Local Governments and has funded CLG projects ranging from \$1,200 to \$28,000 with most grant awards falling between \$4,00 and \$10,000; and

WHEREAS, participation in the CLG program is in furtherance of overall preservation goals of the Town of Riverhead.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor of the Town of Riverhead be and is hereby authorized to submit an application for participation in the Certified Local Government Program of the N.Y.S. Historic Preservation Office.

BE IT FURTHER RESOLVED, that the Town Supervisor be and is hereby authorized to act on behalf of the Town of Riverhead in all matters related to the application and administration of the certification process.

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

Town Engineering Office

THE VOTE
Sanders Yes No Blesa Yes No
Deneski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

*

TOWN OF RIVERHEAD

Resolution # 715

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

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

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

WHEREAS, property located at 18 Fanning Boulevard, Riverhead also known as Suffolk County Tax Map Number 0600/084.00-04-014.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Donald L. Golden, 18 Fanning Blvd., Riverhead, New York 11901 by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2E., the administration fees of \$740.00 and all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Donald L. Golden, 18 Fanning Blvd., Riverhead, New York 11901; the Building Department, Kenneth Testa, P.E., the Tax Receiver's Office and the Office of the Town Attorney.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

1329

*

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located **18 Fanning Blvd., Riverhead, New York**, further described as Suffolk County Tax Map #**0600-084.00-04-014.00**, to be cleaned of all rubbish, refuse and other debris, and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Dated: Riverhead, New York
July 2, 2002

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

06//02

TOWN OF RIVERHEAD

Resolution # 716

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN TOWN OF RIVERHEAD AND HEALTH RESEARCH, INC. FOR THE ADMINISTRATION OF A GRANT WHICH WILL PROVIDE FUNDS FOR THE INSTALLATION OF SMOKE DETECTORS IN HOMES WITHIN THE TOWN

COUNCILWOMAN BLASS _____ offered the following resolution, was seconded by

COUNCILMAN DENESKI _____ :

WHEREAS, the Town of Riverhead received for and received a grant from the New York State Department of Health in sum of \$20,000.00 for the purpose of creating an injury prevention program targeted to reduce fire related injuries amongst senior citizens, mobile home park residents, and for other at risk populations within the Town,

WHEREAS, the program will involve the Town of Riverhead Fire Marshal in conjunction with the Town's volunteer fire departments will be installing new smoke detectors and providing fire safety education to the smoke detector recipients for the purpose of reducing fire related injuries, and

WHEREAS, the NYS Department of Health requires that the Town utilize HRI for grant administration purposes, and

WHEREAS, the Town's grant administrator will be Bruce E. Johnson, Fire Marshal,

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an agreement between the Town of Riverhead and HRI, in the form substantially attached hereto, for the purposes of administering the aforementioned grant; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to HRI, One University Place, Rensselaer, NY 12144-1244, the New York State Department of Health, the Riverhead Town Board; the Office of the Town Attorney, Bruce E. Johnson, Fire Marshal and the Office of Accounting.

THE VOTE

Sanders Yes No Blass Yes No

Deneski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON FULLY ADOPTED

Date: 07/02/02

TOWN OF RIVERHEAD

Resolution # 717

**Authorize Supervisor To Request
State For Speed Zone Change**

COUNCILMAN DENESKI

offered the following

resolution, which was seconded by

COUNCILMAN LULL

WHEREAS, numerous residents from the Northville Turnpike – Doctor's Path Civic Association have suggested that a speed limit of 55 miles per hour is inappropriate for their residential neighborhood and have requested that the Town of Riverhead reduce the speed zone for traffic vehicles on Doctor's Path; and

WHEREAS, the Traffic Committee of the Town of Riverhead has suggested that the speed limit on Doctor's Path should be reduced to the following: Doctor's Path from Sound Avenue (which has a speed limit of 45 miles per hour) south for one mile, be reduced from 55 miles per hour to 45 miles per hour; and Doctor's Path from that point to the intersection with County Road 58 be reduced from 55 miles per hour to 35 miles per hour; and

WHEREAS, the Town Board and the Traffic Safety Committee of the Town of Riverhead believes that a speed zone study should be conducted by the New York State Department of Transportation for safety reasons; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be directed, under Section 1622.1 of the Vehicle and Traffic Law of New York State, to file such request with the New York State Department of Transportation and the Suffolk County Department of Public Works by filing State Form TE-9-A; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution and State Form TE-9-A to the New York State Department of Transportation, the Suffolk County

THE VOTE

Sanders Yes No Blas Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Department of Public Works, David Hegermiller, Chief of Riverhead Town Police Department, Mark Kwasna, Highway Superintendent and Councilman Jim Lull (liaison to the Riverhead Traffic Safety Committee).

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 718

COUNCILMAN LULL

offered the following resolution ,

which was seconded by COUNCILWOMAN SANDERS

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

		FROM:	
001.011100.524000	JUSTICE COURT, EQUIPMENT	\$100.	
001.011100.542100	JUSTICE COURT, MISC. SUPPLIES		TO: \$100.
		FROM:	
001.031200.542405	POLICE, UNIFORM REPLACEMENT	\$110.	
001.031200.542408	POLICE, BULLET PROOF VESTS		TO: \$110.
		FROM:	
001.031200.542314	POLICE, PHOTO SUPPLIES	\$1,000.	
001.031200.542100	POLICE, OFFICE SUPPLIES		TO: \$1,000.
		FROM:	
001.031200.524260	POLICE, TYPERWRITER	\$600	
001.031200.524380	POLICE, MISC. OFFICE EQUIPMENT		TO: \$600.
		FROM:	
001.000000.390599	APPROPRIATED FUND BALANCE	\$2,500.	
001.031250.524000	J.A.B., EQUIPMENT		TO: \$2,500.
		FROM:	
001.035100.542251	DOG CONTROL, DOG FOOD	\$500.	
001.035100.542504	DOG CONTROL, CLEANING SUPPLIES		TO: \$400.
001.035100.549000	DOG CONTROL, MISC. SUPPLIES		100.

JULY 2, 2002
GENERAL FUND BUDGET ADJUSTMENT

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PAGE 2

001.000000.390599	APPROPRIATED FUND BALANCE	FROM:	
			\$1,500.
001.070200.512500	REC. ADMIN., C VERTIME	TO:	
			\$1,500.
001.000000.390599	APPROPRIATED FUND BALANCE	FROM:	
			\$30,000.
001.081600.547507	YARD WASTE DISPOSAL FEES	TO:	
			\$30,000.
001.086860.542100	COMMUNITY DEVELOPMENT, CONT. EXP	FROM:	
			\$30,000.
001.086860.524000	COMMUNITY DEV., EQUIPMENT	TO:	
			\$30,000.
001.000000.390599	APPROPRIATED FUND BALANCE	FROM:	
			\$10,850.
001.071400.524000	RECREATION CENTER, EQUIPMENT	TO:	
			\$10,850.
001.092801.480000	INTERFUND REVENUES	FROM:	
			\$2,500.
001.016250.524000	BLDG. & GROUNDS, EQUIPMENT	TO:	
			\$2,500.
001.014400.542100	TOWN ENG., MISC. OFFICE SUPPLIES	FROM:	
			\$1,300.
001.014400.524000	TOWN ENG., EQUIPMENT	TO:	
			\$1,300.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lul Yes No

Kozakiewicz Yes No

JULY 2, 2002

TOWN OF RIVERHEAD

Resolution # 719

748 OSBORN AVENUE

CHAPTER 96 CAPITAL PROJECT

BUDGET ADOPTION

COUNCILWOMAN SANDERS offered the following resolution ,
which was seconded by COUNCILWOMAN BLASS

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

406.010010.411000.41041 REAL PROPERTY TAXES

FROM:
\$4,240.

406.086660.540000.41041 CONTRACTUAL EXPENSE
406.086660.549001.41041 GENERAL FUND ADMIN. FEE

TO:
\$3,500.
740.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

JULY 2, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 720731 ½ WEST MAIN STCHAPTER 96 CAPITAL PROJECTBUDGET ADOPTION

COUNCILWOMAN BLASS offered the following resolution ,
 which was seconded by COUNCILMAN LULL

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

406.010010.411000.41042 REAL PROPERTY TAXES FROM:
\$4,240.

406.086660.540000.41042 CONTRACTUAL EXPENSE TO:
\$3,500.
 406.086660.549001.41042 GENERAL FUND ADMIN. FEE 740.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

Adopted

JULY 2, 2002

TOWN OF RIVERHEAD

Resolution # 721

417 - 425 WEST MAIN ST

CHAPTER 54 CAPITAL PROJECT

BUDGET ADOPTION

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:

FROM:

406.010010.411000.41043 REAL PROPERTY TAXES

\$22,275.

TO:

406.086660.540000.41043 CONTRACTUAL EXPENSE

\$20,000.

406.086660.549001.41043 GENERAL FUND ADMIN. FEE

2,275.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

JULY 2, 2002

1337

Adopted

TOWN OF RIVERHEAD

PRINCESS LAUNDRY SEWER CAPITAL PROJECT

BUDGET ADOPTION

RESOLUTION # 722

COUNCILMAN DENFESKI offered the following resolution ,
which was seconded by COUNCILWOMAN BLASS

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

		FROM:
406.092705.421050.20015	DEVELOPER FEES	\$10,000.
		TO:
406.081300.543504.20015	ENGINEERING EXPENSE	\$10,000.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

JULY 2, 2002

1338

Adopted

TOWN OF RIVERHEAD

HIGHWAY DEPARTMENT
BUDGET ADJUSTMENT

RESOLUTION #723

COUNCILWOMAN BLASS

_____ offered the following resolution ,

which was seconded by COUNCILWOMAN SANDERS

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

FROM:

111.051100.546303 GENERAL REPAIRS, GAS OIL & GREASE \$2500

TO:

111.051100.5452000 GENERAL REPAIRS, EQUIPMENT RENTAL \$2,500

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

TOWN OF RIVERHEAD

MUNICIPAL GARAGE BUILDING IMPROVEMENT

BUDGET ADJUSTMENT

RESOLUTION #724

COUNCILWOMAN SANDERS

offered the following resolution ,

which was seconded by COUNCILMAN LULL

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

406.016900.524000 EQUIPMENT FROM: \$10,400.

406.016900.522150 BLDG. CONSTRUCTION TO: \$10,400.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

JULY 2, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 725

REFUSE & GARBAGE DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN LULL

_____ offered the following resolution ,

which was seconded by COUNCILMAN DENYESKI

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

115.000000.390599	APPROPRIATED FUND BALANCE	FROM:	\$3100.
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115.081600.547503	STOP PROGRAM EXPENSE	TO:	\$3100.
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THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

TOWN OF RIVERHEAD

BUSINESS IMPROVEMENT DISTRICT
BUDGET ADJUSTMENT

RESOLUTION # 726

COUNCILMAN DENYESKI

offered the following resolution ,

which was seconded by _____

COUNCILWOMAN BLASS

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

118.000000.390599	APPROPRIATED FUND BALANCE	FROM:	\$22,160.
118.064100.511500	PERSONAL SERVICES	TO:	\$2,000.
118.064100.5542609	PROMOTIONS		20,000.
118.090300.582500	FRINGE BENEFITS FICA		160.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

JULY 2, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 727COMMUNITY DEVELOPMENTBLOCK GRANTBUDGET ADOPTION

COUNCILWOMAN BLASS offered the following resolution ,
 which was seconded by COUNCILWOMAN SANDERS

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

181.084910.493000.06902	FEDERAL AID	FROM: \$173,000.
		TO:
181.086680.540000.06902	HOME IMPROVEMENT PROGRAM	\$29,000.
181.086760.544000.06902	ALTERNATIVES COUNSELING	5,000.
181.086760.543409.06902	LITERACY PROGRAM	5,000.
181.086760.543408.06902	C.A.P.	5,900.
181.086760.542200.06902	SOUP KITCHEN	6,000.
181.086860.540000.06902	ADMINISTRATION	15,000.
181.086760.543401.06902	FAMILY SERVICES – DOMINICAN SISTERS	4,000.
181.086620.542500.06902	CALVERTON 9/11 MEMORIAL PARK	4,000.
181.086620.523033.06902	BUS SHELTERS	12,000.
181.086620.523001.06902	DOWNTOWN SIDEWALKS	87,100.

THE VOTE

Sanders Yes NoBlass Yes NoDensieski Yes NoLull Yes NoKozakiewicz Yes No

JULY 2, 2002

*

Adopted

TOWN OF RIVERHEAD

YOUTH COURT SCHOLARSHIP FUND

BUDGET ADJUSTMENT

RESOLUTION # 728

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILMAN LULL

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

025.092705.471000 GIFTS & DONATIONS **FROM:** \$650.

025.073100.544300 SCHOLARSHIP EXPENSES **TO:** \$650.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

07/02/02

TOWN OF RIVERHEAD

Resolution #29

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST FOR A
PUBLIC HEARING TO CONSIDER THE APPLICATION OF HOUND'S
GATE CONDOMINIUM, FOR AN EXEMPTION PURSUANT TO
RIVERHEAD TOWN CODE SECTION 109-007

Councilman Densieski offered the following resolution which was
seconded by Councilman Lull.

WHEREAS, the on December 11, 2001 the Town Board adopted a
Local Law entitled "Moratorium on Residential Development", and

WHEREAS, on June 11th, 2002, that Local Law was repealed and
replaced so as to extend the Moratorium through June 11, 2003, and

WHEREAS, both versions of the aforementioned Local Law provide
for the exemption of certain applications from the provisions of the Local
Law provided those applications meet certain criteria, and

WHEREAS, the Town Board is in receipt of an application for
exemption by Hound's Gate Condominium for premises located at
Wading River (SCTM 0600-75-1-7, 8.1, 8.2, 8.3), and

WHEREAS, the application submitted has been reviewed by the
Town Attorney's office and is proper as to form, and

WHEREAS, Chapter 109-007(1) of the Town Code of the Town of
Riverhead requires that a public hearing be held in connection with any
application for exemption under that section.

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and is hereby directed to
publish and post the attached Notice of Public hearing in the July 10,
2002 issue of Suffolk Life Newspapers, and be it further

RESOLVED, that the Town Clerk mail a copy of this resolution to
Charles R. Cuddy, Esq., 445 Griffing Avenue, Riverhead, NY 11901, the
Town Attorney, the Planning Department, and John Raynor, P.E.

*
**TOWN OF RIVERHEAD
 PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of July, 2002 at 7:20 p.m. o'clock at the Wading River Congregational Church, North Country Road, Wading River, New York, to consider a application of Hound's Gate Condominium for exemption from Chapter 109 of the Riverhead Town Code entitled, "Moratorium on Residential Development within the Town of Riverhead" for premises located at SCTM 0600-75-1-8.1, 8.2, 8.3 for an 27 unit condominium on 11 acres of land in Wading River.

Dated: Riverhead, New York
 July 2, 2002

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

BARBARA GRATTAN, Town Clerk

THE VOTE

Sanders Yes No Blass Yes No
 Dansiecki Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

07/02/02

TOWN OF RIVERHEAD

Resolution # 730

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST FOR A
PUBLIC HEARING TO CONSIDER THE APPLICATION OF MOUNTAIN
BROOK HOMES AT ROANOKE LANDING, LLC, FOR AN EXEMPTION
PURSUANT TO RIVERHEAD TOWN CODE SECTION 109-007

Councilman Lull _____ offered the following resolution which was
seconded by _____ Councilwoman Sanders _____.

WHEREAS, the on December 11, 2001 the Town Board adopted a
Local Law entitled "Moratorium on Residential Development", and

WHEREAS, on June 11th, 2002, that Local Law was repealed and
replaced so as to extend the Moratorium through June 11, 2003, and

WHEREAS, both versions of the aforementioned Local Law provide
for the exemption of certain applications from the provisions of the Local
Law provided those applications meet certain criteria, and

WHEREAS, the Town Board is in receipt of an application for
exemption by Mountain Brook Homes at Roanoke Landing, LLC for
premises located at SCTM 0600-17-1-8, and

WHEREAS, the application submitted has been reviewed by the
Town Attorney's office and is proper as to form, and

WHEREAS, Chapter 109-007(1) of the Town Code of the Town of
Riverhead requires that a public hearing be held in connection with any
application for exemption under that section.

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and is hereby directed to
publish and post the attached Notice of Public hearing in the July 10,
2002 issue of Suffolk Life Newspapers, and be it further

RESOLVED, that the Town Clerk mail a copy of this resolution to
Eugene Barnosky, Esq., Lamb & Barnosky, LLP, 534 Broadhollow Road,
CS 9034, Melville, New York 11747-9034, the Town Attorney, the
Planning Department, and John Raynor, P.E.

*
**TOWN OF RIVERHEAD
 PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of July, 2002 at 7:10 p.m. o'clock at the Wading River Congregational Church, North Country Road, Wading River, New York, to consider a application of Mountain Brook Homes at Roanoke Landing, LLC for exemption from Chapter 109 of the Riverhead Town Code entitled, "Moratorium on Residential Development within the Town of Riverhead" for premises located at SCTM 0600-17-1-8 for a 32 lot residential subdivision on 42.27 acres of land.

Dated: Riverhead, New York
 July 2, 2002

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

BARBARA GRATTAN, Town Clerk

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Dansleski	<input type="checkbox"/> Yes	<input checked="" 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

07/02/02

TOWN OF RIVERHEAD

Adopted
1348

Resolution #731

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST FOR A
PUBLIC HEARING TO CONSIDER THE APPLICATION OF COUNTRY
TRAILS (L.I. TECH DEVELOPING CORP), FOR AN EXEMPTION
PURSUANT TO RIVERHEAD TOWN CODE SECTION 109-007

Councilman Lull _____ offered the following resolution which was
seconded by _____ Councilman Densieski _____.

WHEREAS, the on December 11, 2001 the Town Board adopted a
Local Law entitled "Moratorium on Residential Development", and

WHEREAS, on June 11th, 2002, that Local Law was repealed and
replaced so as to extend the Moratorium through June 11, 2003, and

WHEREAS, both versions of the aforementioned Local Law provide
for the exemption of certain applications from the provisions of the Local
Law provided those applications meet certain criteria, and

WHEREAS, the Town Board is in receipt of an application for
exemption by Country Trails (L.I. Tech Developing Corp.) for premises
located at Baiting Hollow (SCTM 0600-81-1-17), and

WHEREAS, the application submitted has been reviewed by the
Town Attorney's office and is proper as to form, and

WHEREAS, Chapter 109-007(1) of the Town Code of the Town of
Riverhead requires that a public hearing be held in connection with any
application for exemption under that section.

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and is hereby directed to
publish and post the attached Notice of Public hearing in the July 10,
2002 issue of Suffolk Life Newspapers, and be it further

RESOLVED, that the Town Clerk mail a copy of this resolution to
Peter S. Danowski, Esq., 616 Roanoke Avenue, P.O. Box 779, Riverhead,
NY 11901, the Town Attorney, the Planning Department, and John
Raynor, P.E.

*

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of July, 2002 at 7:15 p.m. o'clock at the Wading River Congregational Church, North Country Road, Wading River, New York, to consider a application of Country Trails (L.I. Tech Developing Corp.)for exemption from Chapter 109 of the Riverhead Town Code entitled, "Moratorium on Residential Development within the Town of Riverhead" for premises located at SCTM 0600;81-1-17 for a 26 lot residential subdivision on 28.2019 acres of land.

Dated: Riverhead, New York
July 2, 2002

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

BARBARA GRATTAN, Town Clerk

THE VOTE

Sanders Yes No Blass Yes No
 Densiecki Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopted

7/2/02

TOWN OF RIVERHEAD

Resolution # 732

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS OF A PARCEL(S)
LOCATED IN THE TOWN OF RIVERHEAD (BENNY GATZ)**

Councilman Densieski offered the following resolution, was seconded by

Councilwoman Blass :

WHEREAS, pursuant to the provisions of §247 of the New York State General Municipal Law, fee simple owners of agricultural lands may elect to sell and the Town of Riverhead may elect to purchase development rights associated with said lands; and be it further

WHEREAS, Benny Gatz has expressed a desire to sell the development rights of his agricultural lands to the Town of Riverhead as follows:

35 acres	Sound Avenue, Riverhead	Suffolk County Tax Map #0600-21-2-6.1
19.5 acres	Sound Avenue, Riverhead	Suffolk County Tax Map #0600-21-2-10.1

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the purchase of development rights of agricultural lands owned by Benny Gatz, once in the Suffolk County Life, hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed purchase of development rights to be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Susan Grunn, Esq., P.O. Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie T. Wesnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Town Attorney's Office.

*

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 6th day of August, 2002 at 2:05 o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the purchase of development rights of agricultural lands owned by Benny Gatz, pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code as follows:

35 acres	Sound Avenue, Riverhead	Suffolk County Tax Map #0600-21-2-6.1
19.5 acres	Sound Avenue, Riverhead	Suffolk County Tax Map #0600-21-2-10.1

Dated: Riverhead, New York
July 2, 2002

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Dansleski	<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

July 2, 2002

TOWN OF RIVERHEAD

Resolution # 733

**RE-REFERS SPECIAL PERMIT PETITION OF J. DOUGLAS AND
AGNES STARK (GLENWOOD OAKES) TO PLANNING BOARD AND
AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF
PUBLIC HEARING**

Councilman Densieski offered the following resolution which
was seconded by Councilwoman Sanders

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from J. Douglas Stark and Agnes Stark to allow the expansion of an existing mobile home park upon real property located at Country Route 58, Riverhead; such real property more particularly described as Suffolk County Tax Map No. 0600-119-1-23, and

WHEREAS, by resolution number 825 of 1999 the Riverhead Town Board did declare themselves to be Lead Agency in the environmental review of the petition and did further determine the petition to be a Type I action pursuant to 6NYCRR Part 617, and

WHEREAS, by resolution number 894 of 2001, the Riverhead Town Board did accept the Draft Environmental Impact Statement ("DEIS") as prepared by En-Consultants, dated August 1, 2001 in support of the petition, and

WHEREAS, by resolution dated May 2, 2002 the Riverhead Town Board did form a Final Environmental Impact Statement by virtue of the DEIS and the response to all commentary by En-Consultants, dated February 28, 2002, and

WHEREAS, in anticipation of the adoption of a Findings Statement pursuant to 6NYCRR Part 617, the Riverhead Town Board desires to hold a public hearing on the matter and refer the SEQRA record created to date to the Planning Board for its report and recommendation, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to refer the Final Environmental Impact Statement to the Riverhead Planning Board, and

BE IT FURTHER

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

*

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of August, 2002 at 2:25 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of J. Douglas Stark and Agnes Stark to allow the expansion of an existing mobile home park by a total of 82 units upon real property located at Route 58, Riverhead; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-119-1-23.

DATED: July 2, 2002
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Luff Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

07/02/02

STATUS Adopted

TOWN OF RIVERHEAD

Resolution # 734

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC HEARING NOTICE TO CONSIDER THE DEMOLITION OF BUILDING(S) OWNED BY WILLIAM JENKINS PURSUANT TO CHAPTER 54 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED. " UNSAFE BUILDINGS AND COLLAPSED STRUCTURES".

COUNCILMAN DENESKI

offered the following resolution,

which was seconded by

COUNCILWOMAN SANDERS

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the demolition of certain building(s) purportedly owned by William Jenkins, located at 731 1/2 Main Street, Riverhead, New York 11901, known an designed as Suffolk County Tax #0600-124.00-04-018.00; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to William Jenkins at 731 West Main Street Riverhead New York 11901, the Fire Marshal, the Assessor's Office, Town Engineer's Office; Town Attorney's Office and the Town Building Department

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD**PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of August 2002 at 11:15 AM at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons, to consider whether the owner of real property purportedly owned by William Jenkins located at 731 ½ West Main Street, Riverhead, known and designated as Suffolk County Tax Map#0600-124.00-04-018.00, should demolish the buildings(s) situated on said property so that the health, safety and welfare of the residents of the Town of Riverhead shall not be endangered or, if the building(s) are found to be in an unsafe condition as described pursuant to Chapter 54 of the Code of the Town of Riverhead entitled, "Unsafe Buildings and Collapsed Structures " to be repaired and secured or demolished and removed.

Dated: July 2, 2002
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, Town Clerk

Adopted

7/2/02

Town of Riverhead

Resolution # 735

Authorizes Supervisor to Execute HOME Rehabilitation Agreement with Suffolk County for Additional Home Improvement Program funds.

COUNCILMAN LULL offered the following resolution, which was

seconded by **COUNCILWOMAN SANDERS**

WHEREAS, the Town of Riverhead administers an ongoing Home Improvement Program to provide assistance to low and moderate income homeowner occupants for emergency repairs; and

WHEREAS, the Town of Riverhead has obtained numerous grants for the provision of housing assistance to low and moderate income residents; and

WHEREAS, the Town of Riverhead has administered funds from the U.S. Department of Housing and Urban Development in the past and desires to undertake rehabilitation of owner occupied dwellings pursuant to the attached HOME Rehabilitation Agreement.

THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute the attached Agreement.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk is authorized to provide a certified copy of this resolution to Andrea Lohneiss, Community Development Director, and Joe Sanseverino, Suffolk County Community Development Director.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<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

HOME REHABILITATION AGREEMENT

*

THIS AGREEMENT ("the Agreement"), is between the COUNTY OF SUFFOLK ("COUNTY"), a municipal corporation of the State of New York, having its principal place of business located at the County Center, Riverhead, New York, 11901, acting through its duly constituted OFFICE OF COMMUNITY DEVELOPMENT, located at the H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, N.Y. 11788; and

The Town of Brookhaven, the Town of Riverhead and the Village of Patchogue (the three participating Consortium municipalities herein after collectively called (individually a "MUNICIPALITY" and collectively the "MUNICIPALITIES").

The parties hereto desire to make available U.S. Department of Housing and Urban Development (HUD) grant funds for the rehabilitation of owner occupied homes, through the HUD Home Rehabilitation Program, pursuant to the HOME Investment Partnership Act.

TERMS AND CONDITIONS: Shall be set forth in Exhibit A through Exhibit B attached.

BUDGET: \$150,000 to be allocated amongst the Municipalities as set forth in paragraph 4 of Exhibit A.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the latest date written below.

TOWN OF BROOKHAVEN

COUNTY OF SUFFOLK

John J. LaValle
Town Supervisor

Eric A. Kopp
Chief Deputy County Executive

Date

Date

TOWN OF RIVERHEAD

VILLAGE OF PATCHOGUE

Robert Kozakiewicz
Town Supervisor


Stephen Slufer, Chairman
Community Development Agency

Date

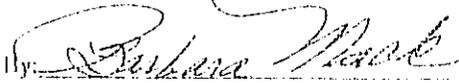
Date 6/20/02

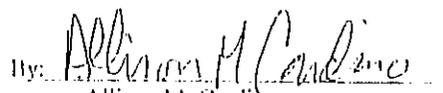
APPROVED:

APPROVED AS TO FORM
NOT REVIEWED AS TO EXECUTION

OFFICE OF Community Development
DEVELOPMENT

Robert J. Cimino
Suffolk County Attorney

By: 
Barbara Mack
Assistant Director

By: 
Allison M. Cardino
Assistant County Attorney

Date

6/17/02

Date

6-14-02

EXHIBIT A

General Terms and Conditions

WHEREAS, MUNICIPALITIES, heretofore have expressed their desire to undertake or assist in undertaking essential community development and housing assistance activities as set forth in the HOME Investment Partnership Act (hereinafter referred to as "the Act"); and

WHEREAS, the parties heretofore have entered into a cooperative agreement for said purposes; and

WHEREAS, the COUNTY has received and accepted a grant from the U.S. Department of Housing and Urban Development (hereinafter referred to as "HUD") for the purposes of the Act pursuant to Resolution No 309 of 2002; and

WHEREAS, the parties desire to undertake the rehabilitation of owner occupied dwellings, an eligible activity under the Act;

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. PURPOSE:

Each MUNICIPALITY, for the consideration herein provided, agrees to complete in the most substantial workmanlike manner, the rehabilitation of houses within the designated boundaries of the target areas for the HOME Rehabilitation Program.

2. TERM:

This Agreement shall commence on the date of grant approved by HUD, and shall terminate with the completion of all the aforementioned Rehabilitation projects, or the expenditure of funds allocated as described in Paragraph 4, entitled "Funding".

3. GRANT ADMINISTRATION:

a) AUTHORIZATION: Notwithstanding any other provision of this Agreement, each MUNICIPALITY must submit evidence, and the COUNTY must certify, prior to any commitment of funds under this Agreement, to a MUNICIPALITY that all grant responsibilities have been met and are in accordance with applicable regulations. Upon such certification, the COUNTY will give notice authorizing the MUNICIPALITY to begin each rehabilitation project.

b) **SUPERVISION:** It is agreed that the nature and extent of the rehabilitation projects undertaken pursuant to this Agreement shall be subject to the general supervision of the COUNTY. The COUNTY, as applicant, is primarily responsible for the program. Each MUNICIPALITY agrees to comply fully with all applicable rules, regulations, criteria, guidelines, procedures and expenditure controls heretofore adopted, to be adopted and as the same may be amended from time to time by Federal, State or local government or as otherwise agreed to in accordance with law.

4. **FUNDING:**

a) **BUDGET:** Each MUNICIPALITY represents and agrees that the Budget, as shown on the first page of the Agreement hereof, is to be allotted to MUNICIPALITIES in order of their submission of approved Affordable Housing Grant Projects. Each MUNICIPALITY agrees that each submission to the COUNTY to reserve funding for the rehabilitation of projects includes all costs of materials, appliances, tools and labor needed by that MUNICIPALITY to undertake the HOME Rehabilitation projects.

b) **LIMITATIONS:** Payments to the MUNICIPALITIES are limited to funds deposited with the COUNTY pursuant to the HOME Investment Partnership grant. The total payment to the MUNICIPALITIES shall be for approved project expenditures, as authorized by the COUNTY. No funds are to be expended until each MUNICIPALITY receives approval from the COUNTY. Payments shall be made payable to the contractor who has provided materials, appliances, tools or labor on a HOME Rehabilitation project.

c) **PAYMENTS OF EXPENDITURES:** The COUNTY agrees to pay each MUNICIPALITY for actual costs incurred pursuant to this Agreement on receipt of claims submitted on the COUNTY's HOME Rehabilitation Payment Form, together with sufficient documentation as required in accordance with procedures established by Suffolk County. All claims for payment are to be submitted no later than forty-five (45) days after the expenditure was made. Claims are subject to adjustments or audit by authorized personnel of the County or State Governments. Notwithstanding the foregoing, the COUNTY shall not be obligated to pay nor be liable to pay the MUNICIPALITIES an aggregate of more than \$150,000 for all HOME Rehabilitation projects undertaken under this Agreement.

5. IMPLEMENTATION PERFORMANCE:

* Each MUNICIPALITY agrees to begin work on its HOME Rehabilitation Projects within a reasonable time after the effective date of this Agreement and will complete all HOME Rehabilitation Projects within twenty-four (24) months of the effective date of this Agreement.

6. BOOKS AND RECORDS OF ACCOUNTING:

Each MUNICIPALITY shall maintain separate books of account and records in accordance with generally accepted accounting practices, concerning all costs incurred in the performance of this Agreement, and that it shall have available for audit and inspection by the COUNTY or by authorized representatives of HUD, each MUNICIPALITY's facilities, books and other financial and statistical data related to the HOME Rehabilitation Program.

7. EQUAL OPPORTUNITY AND FAIR HOUSING:

a) No person in the United States shall, on the grounds of race, color, national origin, religion, sex, age, disability or marital status be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with HOME funds. Each MUNICIPALITY shall affirmatively further fair housing.

b) The activities under this Agreement are subject to the following:

- (i) The requirements of the Fair Housing Act (42 U.S.C. 3601-20) and implementing regulations at 24 CFR Part 100; Executive Order 11063, as amended by Executive Order 12259 (3 CFR, 1958-1963 Comp., p. 652 and 3 CFR, 1980 Comp., p. 307) (Equal Opportunity in Housing) and implementing regulations at 24 CFR Part 107; and Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR Part 1;
- (ii) The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR Part 146, and the prohibitions against discrimination against handicapped individuals under Section 504 of the

- *
 Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8;
- (iii) The requirements of Executive Order 11246 (3 CFR 1964-65, Comp., p. 339) (Equal Employment Opportunity) and the implementing regulations issued at 41 CFR Chapter 60;
- (iv) The requirements of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701a) the purpose of which is to ensure that the employment and other economic opportunities generated by Federal financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed toward low- and very-low income persons, particularly those who are recipients of government assistance for housing;
- (v) The requirements of Executive Orders 11625 and 12432 (concerning Minority Business Enterprise), and 12138 (concerning Women's Business Enterprise). Consistent with HUD's responsibilities under these Orders, each participating jurisdiction must make efforts to encourage the use of minority and women's business enterprises in connection with HOME-funded activities. A participating jurisdiction must prescribe procedures acceptable to HUD to establish and oversee a minority outreach program within its jurisdiction to ensure the inclusion, to the maximum extent possible, of minorities and women, and entities owned by minorities and women, including, without limitations, real estate firms, construction firms, appraisal firms, management firms, financial institutions, investment banking firms, underwriters, accountants and providers of legal services, in all contracts entered into by the participating jurisdiction with such persons or entities, public and private, in order to facilitate the activities of the participating jurisdiction to provide affordable housing authorized under the Act or any other federal housing law applicable to such jurisdiction. Section 85.36(e) of this title describes actions to be taken by a participating jurisdiction to assure that minority business

enterprises and women business enterprises are used when possible in the procurement of property and services.

6. ENVIRONMENTAL REVIEW:

The activities under this Agreement must be assessed in accordance with the provisions of the National Environmental Policy Act of 1969 (NEPA).

9. CONFLICT OF INTEREST:

a) The conflict provisions of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the COUNTY, a MUNICIPALITY, or subrecipient which are receiving HOME funds.

b) No persons described above in this section who exercise or have exercised any functions or responsibilities with respect to activities assisted with HOME funds, or who are in a position to participate in a decision making process or gain inside information with regard to these activities, may obtain a financial interest or benefit from a HOME assisted activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

c) PROHIBITION AGAINST OFFERING GIVING OR RECEIVING OF A GRATUITY: Each MUNICIPALITY represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County of New York State or of any political party, with the purpose or intent of securing an agreement or amending of an agreement or the making of any determinations with respect to the performance of this Agreement, and that the signer(s) of this Agreement has read and is familiar with the provisions of Local Law No. 32/1980 of Suffolk County (Chapter 386 of the Suffolk County Code). (See Exhibit B)

d) USE OF FEDERAL FUNDS FOR LOBBYING: No Federal appropriated funds have been paid or will be paid, by or on behalf of the MUNICIPALITY, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the

making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with his Federal contract, grant, loan, or cooperative agreement, each MUNICIPALITY paying such funds shall complete and submit Standard Form L.L.L., "Disclosure Form to Report Lobbying", in accordance with its instructions.

10. LEAD-BASED PAINT HAZARDS:

The construction or rehabilitation of residential structures with HOME funds constitutes HUD-associated housing for the purpose of the LEAD-BASED PAINT POISONING PREVENTION ACT (42 U.S.C. 3535(d), 4821, and 4851). Any grants or loans made by each MUNICIPALITY for the rehabilitation of residential structures, with assistance provided under this Agreement, shall be made subject to the requirements for the elimination of lead-based paint hazards under 24 CFR PART 35, SUBPART A, B, and R and subparts C through M when applicable. Any rehabilitation of residential structures by the MUNICIPALITY with assistance provided under this Agreement shall be made subject to Lead-Based Paint Poisoning Prevention, and the MUNICIPALITY shall be responsible for notifications, certified hazard evaluations, certified hazard reduction, certified safe construction work places, certified clearances and record keeping.

11. FIRE PREVENTION AND CONTROL ACT:

Housing assistance provided in the form of a grant, contract, loan guarantee, cooperative agreement, interest subsidizing, interest or direct appropriation under this Agreement is subject to the provisions of the FIRE ADMINISTRATION AUTHORIZATION ACT OF 1992 (PUB. L. 102-522). Each MUNICIPALITY shall be required to comply with applicable fire protection and safety standards.

* 12. FLOOD INSURANCE:

a) This Agreement is subject to the FLOOD DISASTER PROTECTION ACT OF 1973 (42 U.S.C. 4001-4128). HOME funds may not be used with respect to the rehabilitation of a project located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, unless the MUNICIPALITY in which the area is situated is participating in the National Flood Insurance Program; and Flood Insurance is obtained as a condition of approval of the commitment.

b) Each MUNICIPALITY is responsible for assuring that flood insurance under the National Flood Insurance Program is obtained and maintained if a rehabilitation project is located in an area identified by FEMA as having special flood hazards.

13. POLITICAL ACTIVITIES:

MUNICIPALITIES shall be governed by the provisions of the HATCH ACT (5 USC 1501, ET SEQ.) regarding employees' political participation.

14. COOPERATION ON CLAIMS:

Each MUNICIPALITY agrees to render diligently to the COUNTY any and all cooperation, without additional compensation, that may be required to legally defend the COUNTY against any claim, demand or action that may be brought against the COUNTY in connection with this Agreement.

15. INDEMNIFICATION:

To the extent permitted by law, each MUNICIPALITY shall indemnify and hold harmless the COUNTY from and against all claims, costs (including attorneys' fees), losses and liabilities of whatsoever nature arising out of the acts or omissions or negligence of the MUNICIPALITY, its officers, agents, servants or employees in connection with the services described or referred to in this Agreement.

16. NO ASSIGNMENTS:

* No MUNICIPALITY shall assign, transfer, convey, subcontract or otherwise dispose of this Agreement, or any of its right, title or interest therein, or its power to execute this Agreement, or assign all or any portion of the monies that may be due or become due to the MUNICIPALITY under the terms of this Agreement, to any other person or corporation, without the prior consent in writing of the COUNTY and any attempt to do any of the foregoing without such consent shall be of no effect.

17. ENTIRE AGREEMENT:

It is expressly agreed that this Agreement represents the entire agreement of the parties hereto and that all previous understandings are merged in this Agreement.

18. NO ORAL CHANGES:

No modification of this Agreement shall be valid unless written in the form of an Addendum or Amendment signed by both parties.

19. SEVERABILITY:

It is expressly agreed that if any term or provision of this Agreement, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

END OF TEXT

EXHIBIT A

EXHIBIT B

* RESOLUTION NO. 1118-1980, ADAPTING LOCAL
 LAW NO. 32 YEAR 1980, A LOCAL LAW
 CONCERNING THE OFFERING, GIVING OR
 RECEIVING OF A GRATUITY TO OR BY AN
 OFFICIAL OF A POLITICAL PARTY.

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on December 9, 1980, a proposed Local Law entitled, "A LOCAL LAW CONCERNING THE OFFERING, GIVEN OR RECEIVING OF A GRATUITY TO OR BY AN OFFICIAL OF A POLITICAL PARTY," and said Local Law in final form is the same as when presented and introduced; now, therefore, be it

RESOLVED, that said Local Law be enacted in form as follows:

LOCAL LAW NO. 32 YEAR 1980, SUFFOLK COUNTY, NEW YORK
 LOCAL LAW CONCERNING THE OFFERING, GIVING OR RECEIVING OF A
 GRATUITY TO OR BY AN OFFICIAL OF A POLITICAL PARTY.

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
 SUFFOLK AS FOLLOWS:

Section 1. Definitions

(a) As used herein, the word "Agreement" means any written or oral contract, or any implied contract, including, but not limited to, a contract for the sale of goods or services, a construction contract or lease or contract relating to real or personal property. The term "agreement" shall also include transaction whereby a person agrees to sell goods or services or both the County pursuant to a successful bid.

(b) As used herein, the word "Gratuity" means any money, benefit, entertainment, gift, or any other consideration whatsoever.

(c) As used herein, the phrase "official of a political party" shall mean a party officer as defined by Section 1-104(5) of the Election Law.

(d) As used herein, the word "person" means any individual, partnership, firm, corporation, or other legal entity, as well as their employees, agents or representatives.

(c) As used herein, the phrase "political party" shall mean a party as defined by Section 1-104(3) of the Election Law.

Section 2. Prohibitions

(a) It shall be a crime for any person to offer or give any gratuity to an official of any political party, with the purpose or intent of securing or obtaining an Agreement with the County of Suffolk, securing favorable treatment with respect to the awarding or amending of such Agreement, or the making of any determination with respect to the performance of an Agreement.

(b) It shall be a crime for an official of a political party to solicit, receive or accept a gratuity in connection with securing or obtaining an Agreement with the County of Suffolk, securing favorable treatment with respect to the awarding or amending of such Agreement, or the making of a determination with respect to the performance of such Agreement.

Section 3. Mandatory Contract Clause

In all Agreements with the County of Suffolk, made after the effective date of this Law, there shall be a written representation by the person entering the Agreement with the County that he has not offered or given any gratuity to any official, employee or agent of Suffolk County, New York State, or of any political party, with the purpose or intent of securing an Agreement or securing favorable treatment with respect to the awarding or amending of an Agreement, and that such person has read and is familiar with the provisions of this Local Law.

Section 4. Penalties

(a) **Criminal.** A violation of Section 2 of this Local Law shall be a Class A Misdemeanor and shall be punishable by a sentence of not more than one (1) year in prison or a fine of not more than one thousand dollars, or by such fine and imprisonment.

(b) **Civil Remedies.** A violation of Section 2 or 3 of this Local Law shall give the County the option, among other civil remedies of either terminating the Agreement or deducting the value of the gratuity from any amount due or to become due from the County thereunder.

Section 5. Exceptions

* This Local Law shall not apply to contributions to political parties, committees or candidates as defined by Section 14-100(19) of the Election Law. Such contributions shall be excluded from and shall not be in violation of this Local Law.

Section 6. Separability

If any part of this Local Law Shall be declared unconstitutional by any Court, such declaration shall not affect the constitutionality of any other part.

Section 7.

This Law shall take effect immediately.

DATE: December 9, 1980

END OF TEXT

EXHIBIT B

Adopted

July 2nd, 2002

TOWN OF RIVERHEAD

Resolution # 736AMENDS SITE PLAN OF WADING RIVER PLAZA - BANK OF SMITHTOWN
BRANCHCOUNCILWOMAN BLASS offered the following resolution,which was seconded by COUNCILMAN DENNESKI:

WHEREAS, a site plan and elevations were submitted by John Romano, Executive Vice President, Bank of Smithtown, for construction of a new store front at an existing shopping center, located at Wading River Plaza, Rte. 25A, Wading River, New York 11792, New York, known and designated as Suffolk County Tax Map Number 0600-75-3.3 & 3.6; and

WHEREAS, the Planning Department has reviewed the site plan dated August 11th, 2001, as prepared by Barrett, Bonacci & Van Weele, P.C, and elevations dated May 8th, 2002, as prepared by Mojo-Stumer Associates, P.C., 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 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 Bank of Smithtown, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II pursuant to 6NYCRR Part 617, and that no further environmental review is required.

BE IT FURTHER

planning dept.

* **RESOLVED**, that the site plan and elevations submitted by John Romano, Executive Vice President, Bank of Smithtown, for construction of a new store front at an existing shopping center, located at Wading River Plaza, Rte. 25A, Wading River, New York 11792, New York, site plan dated August 11th, 2001, as prepared by Barrett, Bonacci & Van Weele, P.C, and elevations dated May 8th, 2002, as prepared by Mojo-Stumer Associates, P.C., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan review and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and

- * filing of this document, Serota Properties hereby authorizes and consents to the Town of Riverhead to enter premises at Wading River Plaza, Rte. 25A, Wading River, New York 11792, New York, to enforce said handicapped parking regulations;
- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all new utilities shall be constructed underground;
- 12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
- 15. That no building permit shall be issued prior to the replacement of parking area light fixture bulbs as agreed upon by the property owner and the Town of Riverhead pursuant to correspondence of the Town Attorney to Burton J. Seelig, Serota Properties, dated June 19th, 2002; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John Romano, Executive Vice President, Bank of Smithtown, #1 East Main Street, Smithtown, New York 11787, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Sanders Yes No Blass Yes No
 Densiocki Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON BEING ADOPTED

Adopted

July 2nd, 2002

TOWN OF RIVERHEAD

Resolution # 737

APPROVES SITE PLAN OF RIVERHEAD CHARTER SCHOOL

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

WHEREAS, a site plan and elevations were submitted by Charles Clackett on behalf of the Riverhead Charter School, to construct school facilities consisting of twenty four (24) classrooms, one story gym/cafteria, an administration building and twenty-four (24) temporary modular classrooms, located at 3685 SR25, Calverton, New York 11933, New York, known and designated as Suffolk County Tax Map Number 0600-99-02-9 and 0600-117-2-9.1; and

WHEREAS, the Planning Department has reviewed the site plan dated May 14th, 2002, as prepared by Young and Young, L.S., and elevations dated June 27th 2002, as prepared by Sear-Brown, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved with conditions; 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, 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 6403 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 Charles Clackett, on behalf of the Riverhead Charter School, 3685 SR 25, Calverton, New York 11933, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared, and

* **BE IT FURTHER,**

RESOLVED, that the Planning Department prepare those notices on non-significance as required by 6NYCRR Part 617; and

BE IT FURTHER,

RESOLVED, that the site plan and elevations submitted by Charles Clackett on behalf of the Riverhead Charter School to construct school facilities consisting of twenty-four (24) classrooms, one story gym/cafteria, an administration building and twenty-four (24) temporary modular classrooms, located at 3685 SR25, Calverton, New York 11933, New York, site plan dated May 14th, 2002, as prepared by Young and Young, L.S., and elevations dated June 27th, 2002, as prepared by Sear-Brown, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That all temporary improvements approved herein shall be either removed or abandoned from the premises no later than one (1) year from the date of this site plan approval;
2. That prior to the issuance of the necessary approvals by the Town of Riverhead Building Department, the Petitioner shall provide security in a form acceptable to the Town Attorney in the amount of \$50,000 in order to ensure the timely removal or abandonment of temporary improvements;
3. That no building permit shall issue prior to the approval of the required work permit by the New York State Department of Transportation;
4. That no building permit shall issue prior to the approval of temporary and permanent sanitary facilities by the Suffolk County Department of Health Services;
5. That no building permit shall issue prior to the final approval resolution of building elevations by the Riverhead Architectural Review Board;
6. That no building permit shall issue prior to the submission of a photometric analysis of proposed site lighting to the satisfaction of the Planning Department;
7. That no building permit shall issue prior to the merging of Suffolk County Real Property Tax Map Parcel and numbers 0600-99-02-09 and 0600-02-009.1;
8. That no building permit shall issue prior to the submission of a construction staging plan and storm water management plan, with appropriate narrative, to the satisfaction of the Planning Department;

9. That no Certificate of Compliance for temporary classrooms shall issue prior to the construction of the proposed access roadway and southerly parking area to the satisfaction of the Planning Department;
10. 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;
11. 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;
12. 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;
13. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
14. 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;
15. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
16. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
17. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
18. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Riverhead Charter School, hereby authorizes and consents to the Town of Riverhead to enter premises at 3685 SR25, Calverton, New York 11933, New York, to enforce said handicapped parking regulations;

19. 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;
20. That all new utilities shall be constructed underground;
21. 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.
22. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
23. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Charles Clackett, Riverhead Charter School, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

- *
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, Riverhead Charter School c/o KSixteen LLC, hereby authorizes and consents to the Town of Riverhead to enter premises at 3685 SR25, Calverton, New York 11933, New York, to enforce said handicapped parking regulations;
 9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
 10. That all new utilities shall be constructed underground;
 11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
 12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2002, made by Riverhead Charter School c/o KSixteen LLC, residing at 529 Fifth Avenue, 17th Floor, New York, New York 10017, Declarant:

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

14. That all temporary improvement approved by Resolution # ___ of the Riverhead Town Board shall be removed no later than July 2nd, 2003;

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

Riverhead Charter School

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the ___ day of _____, in the year _____ before me, the undersigned, _____ personally _____ appeared

_____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

THE VOTE

Sanders Yes ___ No ___ Blass Yes ___ No ___
Densieski Yes ___ No ___ Lull Yes ___ No ___
Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

*
July 2, 2002

TOWN OF RIVERHEAD

Resolution # 738

**CLASSIFIES ACTION AND DECLARES LEAD AGENCY
ON SPECIAL PERMIT OF T-JAY'S TRANSMISSION,
AND REFERS PETITION TO THE PLANNING BOARD**

COUNCILWOMAN BLASS

_____ offered the following resolution which

was seconded by **COUNCILMAN LULL**

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Jay Tranchina, pursuant to Sections 108-3 and 108-48 B.(12) of the Riverhead Town Code to construct a 5,700sq.ft. motor vehicle repair shop on a 1.18ac. parcel zoned Industrial B; such property more particularly described as SCTM 0600-109-2-7.1, and

WHEREAS, a Full Environmental Assessment Form and supporting documentation was submitted as part of the petition, and

WHEREAS, the Riverhead Planning Department has reviewed these materials and has determined the petition to be an Unlisted action pursuant to 6NYCRR Part 617 for which coordinated review is optional and in this case unnecessary, and

WHEREAS, the Riverhead Planning Department has prepared a staff SEQR report outlining the project impacts and recommending that a negative declaration of significance be rendered, and

WHEREAS, the Town Board desires the recommendations of the Riverhead Planning Board respecting planning and zoning issues prior to a determination of significance, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares itself to be the lead agency for the special permit application of T-Jay's Transmission which it classifies as an Unlisted action, and

BE IT FURTHER

RESOLVED, that this classification be considered effective on any related site plan approval, and

BE IT FURTHER

*

RESOLVED, that the Town Clerk be directed to refer the petition to the Riverhead Planning Board for their review and recommendation and is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant or his agent.

THE VOTE

Sanders Yes ___ No ___ Blass Yes ___ No ___
Densieski Yes ___ No ___ Lull Yes ___ No ___
Kozakiewicz Yes ___ No ___

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

*
JULY 2, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 739

RATIFIES THE AUTHORIZATION OF THE TOWN CLERK TO RE-POST AND RE-PUBLISH A NOTICE TO BIDDERS FOR EAST END ARTS COUNCIL SITE HANDICAP ACCESSABILITY MODIFICATIONS

COUNCILWOMAN SANDERS offered the following resolution which was seconded by COUNCILMAN DENESKI.

RESOLVED, that the Town Clerk be and is hereby authorized to re-publish and re-post the attached Notice to Bidders in the July 3, 2002 issue of the official Town newspaper for the East End Arts Council Site Handicap Accessibility Modifications; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E., Andrea Lohneiss and the Office of Accounting.

THE VOTE

Sanders ✓ Yes ___ No ___ Blass ✓ Yes ___ No ___
 Deneski ✓ Yes ___ No ___ Lull ✓ Yes ___ No ___
 Kozakiewicz ✓ Yes ___ No ___

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

*
TOWN OF RIVERHEAD -
NOTICE TO BIDDERS

Sealed proposals for the East End Arts Council Site Handicap Accessibility Modifications, Riverhead, New York will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am on July 15, 2002 at which time they will be publicly opened and read aloud.

Plans and specification may be examined and obtained on or about July 3, 2002 at the office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

A fee of \$50.00 will be required for each copy of the contract documents.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "East End Arts Council Site Handicap Accessibility Modifications".

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

BY ORDER OF THE RIVERHEAD TOWN BOARD

Barbara A. Grattan, Town Clerk

Riverhead, NY 11901

Dated: May 22, 2002

Adopted

7/2/02

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
CONSTRUCTION OF PLANT 11
GENERAL CONSTRUCTION AND MECHANICAL WORK
RIVERHEAD WATER DISTRICT
RESOLUTION # 740

Adopted 7/2/02

COUNCILWOMAN SANDERS offered the following
resolution which was seconded by COUNCILWOMAN BLASS,

RESOLVED, the Town Clerk be and is authorized to publish in
the July 10, 2002, edition of The Suffolk Life and post the
attached Notice to Bidders with regard to receiving bids for the
construction of Plant 11, General Construction and Mechanical Work
for the Riverhead Water District, 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.

THIS RESOLUTION PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD
WATER DISTRICT

THE VOTE
Sanders Yes No Blass Yes No
Danaszki Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

H2M GROUP
NOTICE TO BIDDERS

1384

*

The Town Board of Riverhead will receive bids for:

CONSTRUCTION OF PLANT 11
CONTRACT G - GENERAL CONSTRUCTION AND MECHANICAL WORK

for the Riverhead Water District. Bids will be received at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:00 AM, prevailing time, on *Thursday, August 1, 2002*, at which time and place all bids will be publicly opened and read:

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

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

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

Copies of the contract documents may be obtained at the above locations on or after July 10, 2002, 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: JULY 10, 2002

RDWD 01-02

NB - 1

July 2, 2002

Adopted¹³⁸⁵

TOWN OF RIVERHEAD

AWARDS BID FOR CORROSION CONTROL CHEMICAL

RESOLUTION # 741

COUNCILWOMAN SANDERS offered the following resolution, which was seconded by COUNCILMAN DENESKI:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for Corrosion Control Chemical; and

WHEREAS, bids were received, opened and read aloud on the 11th day of June, 2002, at 11:15 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 Corrosion Control Chemical be and is hereby awarded to CalciQuest, Inc.; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to CalciQuest, Inc., 181 Woodlawn Avenue, Belmont, NC, 28012, the Riverhead Water District and the Purchasing Department.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

7/2/02

AWARDS BID FOR REPAINTING OF PULASKI STREET TANK
RIVERHEAD WATER DISTRICT

RESOLUTION # 742
Adopted 7/2/02

COUNCILMAN LULL

offered the following resolution

which was seconded by COUNCILWOMAN BLASS,

WHEREAS, this Town Board did authorize the advertisement for bids for the repainting of the Pulaski Street Tank, and

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

WHEREAS, all bids received were opened and read aloud on the date and time advertised in the notice, and

WHEREAS, by letter dated June 11, 2002, H2M, consulting engineers to the Riverhead Water District, recommended that the bid for the repainting of the Pulaski Street Tank be awarded to Pittsburg Tank and Tower Co, Inc. of Henderson, Kentucky, in the bid amount of \$371,190,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the repainting of the Pulaski Street Tank be and is hereby awarded to Pittsburg Tank and Tower Co, Inc., of Henderson, Kentucky in the amount of \$371,190, and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to Pittsburg Tank and Tower; Frank Isler, Esq.; H2M, and Gary Pendzick, and the Accounting Department, be it further

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

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

PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD WATER DISTRICT

THE VOTE
Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON FULLY ADOPTED

Adopted

7/2/02
*

AWARDS BID FOR EXTENSION NO. 56
SUNKEN POND ESTATES, SECTION 2
RIVERHEAD WATER DISTRICT
RESOLUTION # 743
Adopted 7/2/02

COUNCILMAN DENESKI offered the following resolution
which was seconded by COUNCILWOMAN SANDERS,

WHEREAS, this Town Board did authorize the advertisement for bids for Extension No. 56, Sunken Pond Estates, Section 2, and

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

WHEREAS, all bids received were opened and read aloud on the date and time advertised in the notice, and

WHEREAS, by letter dated June 24, 2002, H2M, consulting engineers to the Riverhead Water District, recommended that the bid be awarded to Alessio Pipe & Construction Co. of Huntington Station, New York, in the bid amount of \$164,575,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Extension No. 56, Sunken Pond Estates Section 2 be and is hereby awarded to Alessio Pipe & Construction Co. of Huntington Station, New York, in the amount of \$164,575, and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to Alessio Pipe; Frank Isler, Esq.; H2M, and Gary Pendzick, and the Accounting Department, be it further

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

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

PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD WATER DISTRICT

abstain

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

RESOLUTION ADOPTED

RESOLUTION #744

*

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on July 2, 2002, 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 F. Kozakiewicz
Councilwoman	Rose Sanders
Councilwoman	Barbara Blass
Councilman	Edward Densieski
Councilman	James Lull
Town Attorney	Dawn Thomas
Town Clerk	Barbara Grattan

ABSENT:

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

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

*

BOND RESOLUTION DATED JULY 2, 2002.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$5,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY ADDITIONAL COSTS OF THE RECONSTRUCTION OF THE ROOF OF THE HIGHWAY BARN/ADMINISTRATIVE OFFICE BUILDING ON OSBORNE AVENUE IN AND FOR SAID TOWN.

WHEREAS, by bond resolutions dated October 20, 1998, and November 8, 2000, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of an aggregate \$135,000 serial bonds of said Town to pay the cost of the reconstruction of the roof of the Highway barn/administrative office building on Osborne Avenue ; and

WHEREAS, it has now been determined that the maximum estimated cost of the aforedescribed reconstruction of the roof is \$140,000, an increase of \$5,000 over that previously authorized; and

WHEREAS, is it now desired to provide for the issuance of an additional \$5,000 serial bonds of said Town to pay additional costs thereof; 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 additional costs of the reconstruction of the roof of the Highway barn/administrative office building on Osborne Avenue, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$5,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

* Section 2. It is hereby determined that the maximum estimated cost of such specific of object or purpose is now determined to be \$140,000, and that the plan for the financing thereof is as follows:

- a. By the issuance of the \$75,000 serial bonds of said Town authorized to be issued pursuant to bond resolution dated October 20, 1998; and
- b. By the issuance of the \$60,000 serial bonds of said Town authorized to be issued pursuant to bond resolution dated November 8, 2000; and
- c. By the issuance of the additional \$5,000 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 of object or purpose is fifteen years, pursuant to subdivision 12 (a) (1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not 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 of said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section

70.00* of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

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

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

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

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

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

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

Section 11. This resolution, which takes effect immediately, shall be published in full in

_____, 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.

*

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 July 2, 2002, 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

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

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * *

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

Designated Location(s)
of posted notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town
on July _____, 2002.

Town Clerk

(CORPORATE
SEAL)

July 2nd, 2002

Adopted

TOWN OF RIVERHEAD
Resolution # 745

**APPROVES AMENDED ELEVATIONS OF ROBERT PATCHELL
 BAYVIEW MOTEL**

_____ Councilman Densieski _____ offered the following

which was seconded by _____ Councilman Lull _____.

WHEREAS, by Resolution Number 842 of 1999 of the Riverhead Town Board did approve the elevation drawings supporting the reconstruction of a pre-existing, non-conforming boarding house upon real property located at 46 Front Street, Jamesport, New York, known and designated as Suffolk County Tax Map Number 0600-92-3-41; and

WHEREAS, the property owner, Robert Patchell, has requested that the Town Board amend the aforementioned elevation drawing approval in order to provide for An entry vestibule and walk in refrigerator; and

NOW,

THEREFORE BE IT,

RESOLVED, that the Riverhead Town Board hereby approves those elevation drawings as prepared by Charles Thomas, R.A. and dated January, 2002, 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, 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 Robert Patchel, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II Pursuant to 6NYCRR Part 617.

BE IT FURTHER

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

COUNCILWOMAN SANDERS OFFERED THE RESOLUTION TO BE TABLED, SECONDED BY COUNCILWOMAN BEASS.

THE VOTE: Sanders, Yes, Blass, yes, Densieski, no Lull, no, and Kozakiewicz, no.

The resolution was thereupon declared not to be duly TABLED.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

Councilman Densieski offered the resolution for adoption, which was seconded by Councilman Lull.

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

THE VOTE: Sanders, no, Blass, no, Densieski, yes, Lull, yes and Kozakiewicz, yes

RESOLUTION THEREUPON DECLARED TO BE DULY.

Adopted

Adopted

Date July 2, 2002

TOWN OF RIVERHEAD**Resolution # 746****Sense Resolution**
In Support of "One Nation Under God"

Offered by acclamation of the Town Board of the Town of Riverhead

WHEREAS, the Founding Fathers of this Great Nation on July 4, 1776, after appealing to the "Laws of Nature, and of Nature's God" justified their separation from Great Britain, by declaring that "We hold these truths to be self-evident: that all Men are created equal; that they are endowed by their Creator with certain unalienable Rights; that among these are Life, Liberty, and the Pursuit of Happiness..."; and

WHEREAS, Congress and some of the greatest minds throughout history have referred to the liberties gifted to this Nation by its people and a higher being, their Creator, promulgating the principals of a society that believes the words and concepts delineated in the Declaration of Independence, the Bill of Rights and the Constitution of these United States of America; and

WHEREAS, in 1984, the Supreme Court of the United States ruled that "There is an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life, and in 1985 that the words "under God" in the U.S. Pledge of Allegiance serves as an acknowledgment of religion with "the legitimate secular purpose of solemnizing public occasions, [and] expressing confidence in the future", and that in 1992 the United States Court of Appeals held that a school district's policy for voluntary recitation of the Pledge of Allegiance including the words "under God" was indeed constitutional: and

WHEREAS, it is unfathomable how the 9th Circuit Court of Appeals could only last month so erroneously hold that the Pledge of Allegiance's use of the express religious reference "under God" could be

in*violation of this Great Nation's First Amendment to the Constitution;
and

WHEREAS, the erroneous rationale of the 9th Circuit Court of Appeals would lead to the absurd result that the Constitution's use of the express religious reference "Year of our Lord" in its Article VII would also violate the First Amendment, and that, therefore, a school district's policy and practice of teacher-led voluntary recitations of the Constitution itself could be construed as unconstitutional.

NOW THEREFORE, BE IT RESOLVED, that this Town Board of the Town of Riverhead in the County of Suffolk and State of New York does hereby desire and profess that it represents the residents of the Town of Riverhead in stating that all Americans must give rise to the occasion of reaffirming that we are "One Nation Under God, indivisible, with liberty and justice for all."

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this Sense Resolution to the 107th Congress of the United States of America, President George W. Bush, the members of the Supreme Court of the United States of America, the State Legislature of the State of New York, and the Legislature of the County of Suffolk.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

*

RESOLUTION # 747 ABSTRACT #25-02 JUNE 20, 2002 (TBM 07/02/02)					
offered the following Resolution which was seconded by					
FUND NAME		CD - 6/14/02	CKRUN TOTALS	6/18/02 TFRS	GRAND TOTALS
GENERAL TOWN	001	\$ 6,300,000.00	\$ 525,393.26		\$ 6,825,393.26
POLICE ATHLETIC LEAGUE	004	\$ 20,000.00			\$ 20,000.00
TEEN CENTER	005	\$ 12,000.00			\$ 12,000.00
RECREATION PROGRAM	006	\$ 55,000.00	\$ 609.96		\$ 55,609.96
SR NUTRITION SITE COUNCIL	007	\$ 500.00			\$ 500.00
D.A.R.E. PROGRAM FUND	008	\$ 1,200.00			\$ 1,200.00
CHILD CARE CENTER BUILDING FUND	009	\$ 45,000.00	\$ 55.48		\$ 45,055.48
AG-FEST COMMITTEE FUND	021	\$ 2,000.00			\$ 2,000.00
YOUTH COURT SCHOLARSHIP FUND	025				
SRS DAYCARE BUILDING FUND	027				
COMMUNITY P.E.T.S. SHELTER	028	\$ 10,500.00			\$ 10,500.00
ANIMAL SPAY & NEUTERING FUND	029				
EDZ FUND	030	\$ 16,400.00			\$ 16,400.00
HIGHWAY	111	\$ 510,000.00	\$ 25,388.42		\$ 535,388.42
WATER	112	\$ 1,150,000.00	\$ 37,919.58		\$ 1,187,919.58
REPAIR & MAINTENANCE	113	\$ 1,550,000.00			\$ 1,550,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 1,120,000.00	\$ 32,844.78		\$ 1,152,844.78
REFUSE & GARBAGE COLLECTION	115	\$ 540,000.00	\$ 2,519.83		\$ 542,519.83
STREET LIGHTING	116	\$ 450,000.00	\$ 10,699.42		\$ 468,699.42
PUBLIC PARKING	117	\$ 110,000.00	\$ 425.09		\$ 110,425.09
BUSINESS IMPROVEMENT DISTRICT	118		\$ 139.88		\$ 139.88
TOR URBAN DEV CORP TRUST ACCT	119				
AMBULANCE DISTRICT	120	\$ 260,000.00	\$ 3,012.09		\$ 263,012.09
CALVERTON SEWER DISTRICT	124	\$ 67,500.00	\$ 6,202.73		\$ 73,702.73
RIVERHEAD SCAV WASTE DISTRICT	128	\$ 150,000.00	\$ 10,558.94		\$ 160,558.94
WORKER'S COMPENSATION FUND	173	\$ 1,120,000.00	\$ 5,036.74		\$ 1,125,036.74
RISK RETENTION FUND	175	\$ 20,000.00	\$ 18,000.00		\$ 38,000.00
UNEMPLOYMENT INSURANCE FUND	176	\$ 104,000.00			\$ 104,000.00
MAIN STREET REHAB PROGRAM	177				
REVOLVING LOAN PROGRAM	179				
RESIDENTIAL REHAB	179				
DISCRETIONARY/SMALL CITIES	180				
CDBG CONSORTIUM ACCOUNT	181		\$ 1,751.98		\$ 1,751.98
URBAN DEVEL CORP WORKING	182				
RESTORE	184				
PUBLIC PARKING DEBT	381	\$ 2,000.00			\$ 2,000.00
SEWER DISTRICT DEBT	382	\$ 825,000.00		\$ 5,962.06	\$ 825,000.00
WATER DEBT	383	\$ 640,000.00		\$ 379,763.02	\$ 640,000.00
GENERAL FUND DEBT SERVICE	384	\$ 8,825,000.00		\$ 395,618.67	\$ 8,825,000.00
SCAVENGER WASTE DEBT	385	\$ 300,000.00			\$ 300,000.00
TOWN HALL CAPITAL PROJECTS	406		\$ 414,164.77		\$ 414,164.77
EIGHT HUNDRED SERIES	408				
WATER IMPROVEMENT CAP PROJ	409				
NUTRITION CAPITAL IMPS	441				
CHIPS	451				
YOUTH SERVICES	452		\$ 725.28		\$ 725.28
SENIORS HELPING SENIORS	453		\$ 51.10		\$ 51.10
EISEP	454		\$ 38.69		\$ 38.69
SCAVENGER WASTE CAP PROJ	470				
MUNICIPAL FUEL FUND	625	\$ 220,000.00			\$ 220,000.00
MUNICIPAL GARAGE	626	\$ 175,000.00	\$ 10,705.67		\$ 185,705.67
TRUST & AGENCY	735		\$ 4,421,679.80		\$ 4,421,679.80
SPECIAL TRUST	736	\$ 300,000.00			\$ 300,000.00
COMMUNITY PRESERVATION FUND	737	\$ 1,690,000.00	\$ 105,000.00		\$ 1,795,000.00
CDA-CALVERTON	914	\$ 3,920,000.00	\$ 7,522.50	\$ 3,000,000.00	\$ 3,927,522.50
COMMUNITY DEVELOPMENT AGENCY	915	\$ 135,000.00			\$ 135,000.00
JOINT SCAVENGER WASTE	918	\$ 40,000.00			\$ 40,000.00
CENTRAL CLEARING ACCOUNT	999				
TOTALS		\$ 30,686,100.00	\$ 5,648,445.99	\$ 3,781,343.75	\$ 40,115,889.74
	***	SCHOOL/TH TAXES			

RESOLUTION # 747 ABSTRACT #26-02 JUNE 27, 2002 (TBM 07/02/02)				
* offered the following Resolution which was seconded by				
FUND NAME		CD NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 549,055.55	\$ 549,055.55
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 450.00	\$ 450.00
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ 3,370.59	\$ 3,370.59
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	008	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 2,876.18	\$ 2,876.18
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ 4,536.88	\$ 4,536.88
HIGHWAY	111	\$ -	\$ 55,155.60	\$ 55,155.60
WATER	112	\$ -	\$ 59,285.78	\$ 59,285.78
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 26,357.59	\$ 26,357.59
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 4,118.40	\$ 4,118.40
STREET LIGHTING	116	\$ -	\$ 7,194.50	\$ 7,194.50
PUBLIC PARKING	117	\$ -	\$ 3,981.89	\$ 3,981.89
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 573.46	\$ 573.46
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 34.89	\$ 34.89
CALVERTON SEWER DISTRICT	124	\$ -	\$ 520.31	\$ 520.31
RIVERHEAD SCAY WASTE DISTRICT	128	\$ -	\$ 23,193.53	\$ 23,193.53
WORKER'S COMPENSATION FUND	173	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 1,085.77	\$ 1,085.77
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	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 996,585.79	\$ 996,585.79
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 1,862.34	\$ 1,862.34
SENIORS HELPING SENIORS	453	\$ -	\$ 1,788.16	\$ 1,788.16
EISEP	454	\$ -	\$ 1,357.66	\$ 1,357.66
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ -	\$ -
MUNICIPAL GARAGE	628	\$ -	\$ 20,690.29	\$ 20,690.29
TRUST & AGENCY	735	\$ -	\$ 625,081.09	\$ 625,081.09
SPECIAL TRUST	738	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 1,214.40	\$ 1,214.40
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 2,390,950.83	\$ 2,390,950.83
			\$ -	