

*Barbara Grattan, Town Clerk*

## **TOWN BOARD MEETING AGENDA**

**September 17<sup>th</sup> , 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 September 3rd, 2002, and  
Special Board Meeting of September 13, 2002

Sull Offered the minutes to be approved, which was  
seconded by Blass.

5 yes

## REPORTS

Police Dept.: Monthly Report for May, 2002  
Juvenile Aid Bureau: Monthly Report for August, 2002  
Receiver of Taxes: Utility Collections Report for August, 2002  
Total Collected: \$313,202.06

## APPLICATIONS

Shows & Exhibition Permits: Abbess Farm-Oct. 5-Nov. 5, 2002-9am to 5 pm  
Bouncing Moon walk castle, corn maze, pumpkin  
Picking.

## CORRESPONDENCE

Catherine McKeen: Strong opposition to the code change that would allow  
"country inns" in recreationally zoned districts.

Herb Dresher: Re: The litter on Cedar Street

Steve Haizlip: Re: Cablevision & People wishing to speak at town board  
meetings

Ralph Criscuola & James Curci & Donna Micallef Re: The approval of the proposal of Calverton Motor Sport  
Park.

## COMMITTEE REPORT

Barbara Blass -

Denniski -

Stop Date

Sull -

## **PUBLIC HEARINGS**

**SCHEDULED September 17<sup>th</sup>, 2002**

- 2:05 p.m.**    **The Special Permit Petition of Northwind Farms to allow the construction and use of a two-family dwelling on property Located on Herricks Lane, Jamesport.**
  
- 2:10 p.m.**    **The Special Permit of Neil Rego (The Spa at Fox Hill) to allow the construction of a 48 suit health spa and related site improvements upon property located at Sound Avenue, Baiting Hollow.**
  
- 2:15 p.m.**    **The Consideration of the Purchase of Development Rights of Agricultural Lands owned by Jennie Alexander, Jr. & Cheryl Janlewicz.**
  
- 2:20 p.m.**    **The Consideration of the Franchise Renewal Application of CSC Acquisitions, Inc. NY (Cablevision)**

**PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:**  
**REGULAR TOWN BOARD MEETING:**

- #961 Ratifies and Approves Stipulation of Agreement-S.O.A.
- #962 Order Calling Public Hearing- Extension 7A to the Riverhead Water District- Mill Pond Commons
- #963 Order Calling Public Hearing- Lease Agreement with Sprint Spectrum, L.P.- RWD
- #964 Order Calling Public Hearing- Mill Pond Commons- Sewer Lateral-RSD
- #965 Resolution Calling Public Hearing in the Matter of the Increase and Improvement of the Facilities of the Riverhead Scavenger Waste District of the Town of Riverhead
- #966 Authorizes the Town Clerk to Publish and Post for a Public Hearing to Consider the Application of Sound Housing, LLC (Willow Ponds), for an Exemption Pursuant to Riverhead Town Code Section 109-007
- #967 Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of Development Rights of a Parcel Located in the Town of Riverhead (John Sipala)
- #968 Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of Development Rights of a Parcel Located in the Town of Riverhead(Hartman Family)
- #969 A Resolution Authorizing the Issuance of \$300,000.00 Serial Bonds of the Town of Riverhead, to Pay the Cost of Reconstruction of the Twin Ponds Parking Lot in Wading River
- #970 Oak Street, Northside Road & Central Avenue Road Improvements Capital Project Budget Adoption
- #971 Water District Budget Adjustments
- #972 Animal Spay and Neuter Program Budget Adjustment
- #973 Sewer District Budget Adjustment
- #974 Scavenger Waste District Budget Adjustment
- #975 Highway Department Budget Adjustment
- #976 General Fund Budget Adjustment
- #977 Calverton Park-CDA Budget Adjustment
- #978 Grants Excavation Permit to Serota & Sons, Inc.

- #979 Authorizes Town Supervisor to Execute Change Order No. 2 for Iron Pier Beach - General Construction
- #980 Authorizes Town Supervisor to Execute Change Order No. 2 for Grangebel Park Bulkhead Replacement Project
- #981 Authorizes Town Supervisor to Execute Change Order No. 2 for the Municipal Garage Mechanics Maintenance Facility-Electrical
- #982 Authorizes the Town Clerk to Post and Publish the Attached Notice to Bidders for the Restoration and Repair of the Freshpond Schoolhouse
- #983 Rescinds Resolution #832 and Authorizes Town Clerk to Publish and Post Notice to Bidders
- #984 Rejects Bid for the Chapter 54 Demolition of the Structure Known as 22 Lewis Street
- #985 Awards Bid for the Chapter 54 Demolition of the Structure known as 23 Lewis Street, Riverhead
- #986 Authorizes the Town Clerk to Publish and Post the Attached Notice to Bidders for the Downtown Sidewalk Beautification Project- Second Street and Griffing Avenue
- #987 Authorizes Town Clerk to Publish and Post Notice of Public Hearing- Zoning Amendment- Country Inn
- #988 Authorizes Town Clerk to Publish and Post Notice to Consider the Purchase of Development Rights of a Parcel Located in the Town of Riverhead (Robert H. Gammon)
- 989# Amends Resolution #133 of 2002 (Approves Application of Dressage at Sunny Acres)
- #990 Approves Application of Northeast Organic Farming Association
- #991 Approves the Application for Fireworks Permit of Jane Rivera (Vineyard Caterers)
- #992 Approves Application of Abbess Farm
- #993 Approves Application of Cooperage Inn
- #994 Approves Application of Riverhead Foundation for Marine Research and Preservation
- #995 Appoints Interpretation Consultant for Police Department and Justice Court
- #996 Appoints a Recreation Specialist to the Riverhead Recreation Department (G. Benevente)

- #997 Appoints Purchasing Agent (M. Tague)
- #998 Authorizes Attendance at Conference
- #999 Authorizes Attendance of Assessors at Meeting
- #1000 Authorizes Attendance at the National Animal Control Association Training Academy
- #1001 Authorizes Attendance of Police Lieutenant and Police Officer at Training Seminar
- #1002 Accepts Irrevocable Letter of Credit of Wiana Realty Corp./Riverhead Pooh, LLC
- #1003 Accepts Irrevocable Letter of Credit of Wiana Realty Corp./Riverhead Pooh, LLC
- #1004 Accepts Irrevocable Letter of Credit of Riverhead Commerce Park Associates, LLC
- #1005 Approves Amended Site Plan of Suffolk County National Bank-Wading River Branch-ATM
- #1006 Amends Site Plan of Kamco- Loading Dock
- #1007 Pays Bills
- #1008 99 Downtown Sidewalk Improvement Capital Project Budget Adjustment
- #1009 Ratifies Bid Award for Downtown Beautification Project, Second Street and Griffing Avenue Sidewalk Improvements

SEPTEMBER 17, 2002

TOWN OF RIVERHEAD

# 961

RATIFIES AND APPROVES STIPULATION OF AGREEMENT – S.O.A.

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

**BE IT RESOLVED**, that the Town Board hereby ratifies and approves the provisions of the Stipulation of Agreement for the years 2002 – 2004 by and between the Riverhead Town Superior Officers Benevolent Association (SOA) and the Town of Riverhead dated June 27, 2002; and

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to S.O.A. President John H. Vail, Rains & Pogrebin, P.C. and the Office of Accounting.

THE VOTE

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

9/17/02

Adopte

TOWN OF RIVERHEAD

RESOLUTION # 962

ORDER CALLING PUBLIC HEARING - EXTENSION 7A TO THE RIVERHEAD WATER DISTRICT MILL POND COMMONS

ADOPTED

COUNCILWOMAN SANDERS

offered the following resolution which was seconded by COUNCILMAN DENSIKSI,

WHEREAS, a petition has been filed by the developers for the Mill Pond Commons project covering property located along Elton Street, just east of Howell Avenue, to provide water facilities to their parcel of land located just outside the boundaries of the existing Water District, and

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

WHEREAS, the maximum amount to be expended for the extension is \$5,000, for the report and review of plans, and the water mains will be private lines with two master meters, the cost of which to be borne by the applicant and no public monies shall be expended for this extension, and

WHEREAS, key money will be assessed against this project to cover the cost of constructing capital improvement facilities, for a total cost of \$250,000, and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on the 1st day of October, 2002, at 7:55 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the extension to the Riverhead Water District to be known as Extension 7A, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the September 25th edition of the Suffolk Life Newspapers, and

RESOLUTION PREPARED FOR THE RIVERHEAD WATER DISTRICT BY FRANK T

THE VOTE Sanders ✓ Yes \_\_\_ No \_\_\_ Blasz ✓ Yes \_\_\_ No \_\_\_ Densiksi ✓ Yes \_\_\_ No \_\_\_ Lull ✓ Yes \_\_\_ No \_\_\_ Korakiewicz ✓ Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS X WAS NOT THEREUPON DULY ADOPTED

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

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

Dated: September 17, 2002  
Riverhead, NY

RESOLUTION PREPARED FOR THE RIVERHEAD WATER DISTRICT BY FRANK ISLER

RIVERHEAD WATER DISTRICT

1790

DESCRIPTION OF EXTENSION NO. 7A

MILL POND COMMONS

BEGINNING at a point on the existing Riverhead Water District boundary, 200 feet south of Elton Street and east of Howell Avenue;

Running thence easterly, southerly, westerly and northerly along the existing Riverhead Water District boundary to the point or place of BEGINNING.

This description includes all property south of Elton Street, east of Howell Avenue and north of Main Street (NY 25) not already in the Riverhead Water District. (Includes Section 109, Block 2, balance of lots 1, 2, 10, 12.1 and 13.

Adopted

9/17/02

## TOWN OF RIVERHEAD

RESOLUTION CALLING PUBLIC HEARING  
LEASE AGREEMENT WITH SPRINT SPECTRUM, L.P.  
RIVERHEAD WATER DISTRICT  
RESOLUTION # 963ADOPTED 9/17/2002

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

WHEREAS, an agreement has been proposed between the Riverhead Water District (hereinafter referred to as "Lessor"), and Sprint Spectrum, L.P. (hereinafter referred to as "Lessee"), wherein Lessee desires to use a portion of premises owned by the Riverhead Water District for the installation, maintenance and operation of a wireless personal communications service system facility, and

WHEREAS, Lessee agrees to lease from Lessor certain space on the water tank for the installation and operation of wireless antennas and appurtenances thereto, and approximately 345 square feet of ground space located at 1035 Pulaski Street, Riverhead, New York, and

WHEREAS, Lessee shall have the right to install up to fifteen (15) antennas, including twelve (12) sector type antennas (each antenna not to exceed seventy-two (72) inches in length), two (2) GPS antennas and one (1) test mobile antenna, and other accessories necessary to the successful and secure operation of Lessee's equipment, and

WHEREAS, the initial term of the subject Lease shall be for five (5) years commencing on the date Lessee is granted a building permit, certificate, license or any other approval that is necessary for the installation and operation of Lessee's facilities, and

WHEREAS, Lessee shall have the right to extend the Lease past the Initial Term for four (4) successive five (5) year periods, and

WHEREAS, during the first year of the Lease, Lessee shall pay the sum of \$42,000 per annum ("Base Rent"). The Base Rent shall be increased each lease year over the Base Rent for the first lease year by the percentage increase in the Consumer Price Index for the twelve (12) month period preceding the calendar year in which the increase shall take effect, compounded annually, and

WHEREAS, Lessee shall deposit with Lessor the sum of \$12,000 as a Security Deposit, and

WHEREAS, a copy of the proposed Lease Agreement is available for review and inspection at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours, and

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

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and is hereby authorized to publish and post a Notice of Public Hearing to be held on the 1st day of October, 2002, at 7:45 P.M. to hear all interested persons with regard to the Riverhead Water District entering into a lease agreement with Sprint Spectrum, L.P. to lease certain space on the water tank for the installation and operation of wireless antennas and appurtenances thereto, and approximately 345 square feet of ground space located at 1035 Pulaski Street, Riverhead, New York, and

NOW, THEREFORE, BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish a copy of this resolution in full in the September 25, 2002, edition of The Suffolk Life Newspapers, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Gary Pendzick, Frank Isler, Esq., and Amato & Associates, P. C. - attorney for Sprint Spectrum, L.P.

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

Dated: September 17, 2002  
Riverhead, NY

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

**THE VOTE**

Sanders  Yes  No    Blass  Yes  No  
Donsieski  Yes  No    Lull  Yes  No  
Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT  
THEREUPON DULY ADOPTED

9/17/02

Adopted

## TOWN OF RIVERHEAD

RESOLUTION CALLING PUBLIC HEARING  
MILL POND COMMONS SEWER LATERAL  
RIVERHEAD SEWER DISTRICTRESOLUTION # 964

ADOPTED \_\_\_\_\_

COUNCILWOMAN BLASS

\_\_\_\_\_ offered the following resolution which was seconded by COUNCILWOMAN SANDERS,

WHEREAS, a map and plan has been prepared by H2M, consulting engineers to the Riverhead Sewer District, for a lateral sewer connection to Mill Pond Commons, a proposed condominium development consisting of 100 dwelling units and a 682 square foot clubhouse, and

WHEREAS, the site is located inside the boundary of the Riverhead Sewer District, and

WHEREAS, a preliminary wastewater collection system layout for the site has been prepared by the developer. All of the gravity sewers within the development will be 8 inches in diameter. The gravity sewers will be construction of PBC, class SDR 35. More than 2,100 linear feet of sewer will be installed, and

WHEREAS, the engineer for said District has proposed the reconstruction of the pump station as outlined in said report, and

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

WHEREAS, the estimated cost of the improvements is \$925,000, including construction costs, engineering, inspection, legal fees and contingencies, and

WHEREAS, all costs associated with this lateral shall be borne by the petitioner and the petitioner will be required to pay key money in the amount of \$196,332.50, based upon a daily flow of 30,205 gpd, and

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

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and is hereby authorized to publish and post a Notice of Public Hearing to be held on the 1st day of October, 2002, at 7:30 P.M. to hear all interested persons with regard to the petition of Mill Pond Commons for a lateral sewer connection for their proposed condominium development consisting of 100 dwelling units and a 682 square foot clubhouse, at the sole cost of the developer and at no cost to the District and the payment of key money pursuant to Chapter 105 of the Riverhead Town Code,

NOW, THEREFORE, BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish a copy of this resolution in full in the September 25, 2002 edition of the Suffolk Life Newspapers, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to H2M, Michael Reichel, Frank Isler, Esq., and the attorney for Mill Pond Commons.

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

Dated: September 17, 2002  
Riverhead, NY

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

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

RESOLUTION # 965

Adopted <sup>1795</sup>  
072113- \_\_\_\_\_ P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on the 17<sup>th</sup> day of September, 2002, at 2:00 o'clock A.M., Prevailing Time.

PRESENT:

- ROBERT KOZAKIEWICZ  
Supervisor
- COUNCILWOMAN SANDERS  
Councilman
- COUNCILWOMAN BLASS  
Councilman
- COUNCILMAN DENSIESKI  
Councilman
- COUNCILMAN LULL  
Councilman

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

**COUNCILWOMAN SANDERS**

-----X  
 :  
 In the Matter :  
 of :  
 the Increase and Improvement of the :  
 Facilities of the Riverhead Scavenger :  
 Waste District of the Town of :  
 Riverhead, Suffolk County, New :  
 York. :  
 -----X

ORDER CALLING  
PUBLIC HEARING

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Riverhead Scavenger Waste District in the Town of Riverhead, Suffolk County, New York, consisting of

headworks improvements, including the construction of a concrete pad, the replacement of a bar screen, construction of a new grit removal chamber, purchase and installation of a new grit removal dewatering system and a coarse bubble diffusion system and blower and the replacement of certain 12-inch diameter pipe with 20-inch diameter pipe at the Riverhead Scavenger Waste District, including incidental expenses in connection therewith, at a maximum estimated cost of \$1,260,000; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the Riverhead Scavenger Waste District in the manner described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law, NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 15<sup>th</sup> day of October, 2002, at 8 o'clock P.M., Prevailing Time, on the question of increasing and improving the facilities of the Riverhead Scavenger Waste District within the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

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

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 1<sup>st</sup> day of October, 2002, at 8 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on the increase and improvement of the facilities of the Riverhead Scavenger Waste District in the Town of Riverhead, Suffolk County, New York, within said Town, consisting of headworks improvements, including the construction of a concrete pad, the replacement of a bar screen, construction of a new grit removal chamber, purchase and installation of a new grit removal dewatering system and a course bubble diffusion system and blower and the replacement of certain 12-inch diameter pipe with 20-inch diameter pipe at the Riverhead Scavenger Waste District's transfer station, including incidental expenses in connection therewith. The maximum estimated cost of the aforesaid increase and improvement of the facilities of the Riverhead Scavenger Waste District in said Town is \$1,260,000.

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

Dated: Riverhead, New York  
September 17, 2002

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

By: Barbara Grafton  
Town Clerk

Section 4. This order shall take effect immediately.

\_\_\_\_\_ VOTING \_\_\_\_\_

The resolution was thereupon declared duly adopted.

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

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 foregoing copy of the minutes of the meeting of the Town Board  
of said Town, including the order contained therein, held on the \_\_\_\_\_ day of September, 2002,  
with the original thereof on file in my office, and that the same is a true and correct copy of said  
original 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  
SUFFOLK COUNTY LIFE

Date given  
SEPTEMBER 18, 2002

AFFIDAVIT OF POSTING

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, depose and say:

That on the \_\_\_\_\_ day of \_\_\_\_\_, 2002, I caused to be posted on the official signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, an order, certified by me, duly adopted by said Town Board on the \_\_\_\_\_ day of September, 2002. A true and correct copy of such order in the exact form in which the same was actually posted is attached hereto and made a part hereof.

\_\_\_\_\_  
Town Clerk

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

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

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

Designated Location(s)  
of posted notice \_\_\_\_\_

Date of Posting

TOWN CLERK'S BULLETIN BOARD

SEPTEMBER 18, 2002

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town  
this 18th day of September, 2002.

\_\_\_\_\_  
Town Clerk

(CORPORATE  
SEAL)

09/17/02

TOWN OF RIVERHEAD

Adopted

Resolution # 966

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST FOR A PUBLIC HEARING TO CONSIDER THE APPLICATION OF SOUND HOUSING, LLC (WILLOW PONDS), 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 11<sup>th</sup>, 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 Sound Housing, LLC, Map of Willow Ponds, Phase IV, for premises located at Baiting Hollow (SCTM 0600-18.1-012.00 & 013.00), 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 September 25, 2002 issue of Suffolk Life Newspapers, and be it further

RESOLVED, that the Town Clerk mail a copy of this resolution to George Tsunis, Esq., Rivkin Radler, LLP, EAB Plaza, Uniondale, NY 11556-011, the Town Attorney, the Planning Department, and John Raynor, P.E.

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  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 15<sup>th</sup> of October, 2002 at 7:15 p.m. o'clock at the Town Hall located at 200 Howell Avenue, Riverhead, New York to consider the application of Sound Housing, LLC (Willow Ponds on the Sound) for an exemption from Chapter 109 of the Riverhead Town Code entitled, "Moratorium on Residential Development within the Town of Riverhead" for premises located at SCTM 0600-18.1-012.00 & 013.00 for an additional 220 residential condominium units with recreational amenities on a 111.662 acre site located between the Long Island Sound and the north side of Sound Avenue, approximately 798 feet west of the intersection of Doctor's Path and Sound Avenue, in Riverhead, New York.

Dated: Riverhead, New York  
September 17, 2002

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

**BARBARA GRATTAN, Town Clerk**

9/17/02

Adopted

TOWN OF RIVERHEAD

Resolution # 967

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS OF A PARCEL LOCATED IN THE TOWN OF RIVERHEAD (JOHN SIPALA)

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

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, John Sipala has expressed a desire to sell the development rights of approximately 46 acres of his agricultural lands located on Manor Road, Jamesport, New York, at \$35,000 per acre, further described as Suffolk County Tax Map #0600-47-2- p/o 4, to the Town of Riverhead.

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 John Sipala, 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 Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, P.O 779, 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.

THE VOTE

Sanders  Yes  No Blass  Yes  No

Densieski  Yes  No Lully  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 1<sup>st</sup> day of October, 2002 at 7:35 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 approximately 46 acres of agricultural lands owned by John Sipala located south on Manor Road, Jamesport, New York, at \$35,000 per acre, further described as Suffolk County Tax Map #0600-47-2-p/o 4, pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code.

Dated: Riverhead, New York  
September 17, 2002

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

9/17/02

Adopted

TOWN OF RIVERHEAD

Resolution # 968

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS OF PARCELS LOCATED IN THE TOWN OF RIVERHEAD (HARTMAN FAMILY)

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

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, The Hartman Family has expressed a desire to sell the development rights on approximately 90 acres of their agricultural lands located along Northville Turnpike, Cross River Drive and Sound Avenue, Northville, New York, at \$38,000 per acre, further described as Suffolk County Tax Map #0600-44-2- p/o 12 and 0600-44-3-3.1, to the Town of Riverhead; and

WHEREAS, The Hartman Family has expressed a desire to transfer the development rights on approximately 27.9 acres on their agricultural lands located along Northville Turnpike, Northville, New York, at no cost per acre in return for a Bargain Sale pursuant to the United States Internal Revenue Code, further described as Suffolk County Tax Map #0600-44-3- 2, to the Town of Riverhead

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 and transfer of development rights on agricultural lands owned by the Hartman Family, once in the Suffolk County Life on September 25, 2002, 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 Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, P.O 779, 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.

Y:\TnAttyShare\Scan I\Purchase of Dev and open Space\Hartman public hearing.doc

THE VOTE  
Sanders  Yes  No Blass  Yes  No  
Densleski  Yes  No Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THEREUPON LULLY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 1<sup>st</sup> day of October, 2002 at 7:30 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 approximately 90 acres of agricultural lands owned by the Hartman Family located along Northville Turnpike, Cross River Drive and Sound Avenue, Northville, New York, at \$38,000 per acre, further described as Suffolk County Tax Map #0600-44-2- p/o 12 and 0600-44-3-3.1, to the Town of Riverhead at \$38,000 per acre pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code.

And, the transfer the development rights on approximately 27.9 acres on their agricultural lands located along Northville Turnpike, Northville, New York, at no cost per acre in return for a Bargain Sale pursuant to the United States Internal Revenue Code, further described as Suffolk County Tax Map #0600-44-3- 2, to the Town of Riverhead pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code.

Dated: Riverhead, New York  
September 17, 2002

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopt

RESOLUTION # 969

072113-3183P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on September 17, 2002, at 2:00 o'clock P.M., Prevailing Time.

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

PRESENT: Supervisor Robert Kozakiewicz  
Councilwoman Rose Sanders  
Councilwoman Barbara Blass  
Councilman Edward Densieski  
Councilman James Lull

ALSO PRESENT: TOWN CLERK, Barbara Grattan  
TOWN ATTORNEY, Dawn Thomas

ABSENT:

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

BOND RESOLUTION DATED SEPTEMBER 17, 2002.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$300,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF RECONSTRUCTION OF THE TWIN PONDS PARKING LOT IN WADING RIVER, FOR SAID TOWN.

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

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

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

Section 1. For the specific object or purpose of paying the cost of the reconstruction of the Twin Ponds Parking Lot in Wading River, including incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$300,000 serial bonds of the Town of Riverhead, Suffolk County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$300,000, and that the plan for the financing thereof is by the issuance of the \$300,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 10 years, pursuant to subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

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

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

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

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

the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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

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

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

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

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

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

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

_____	VOTING	_____

The resolution was thereupon declared duly adopted.

\* \* \* \*

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

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 September 17, 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:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
Suffolk County Life	September 18, 2002

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

Designated Location(s) of posted notice

Date of Posting

Town Clerk's Bulletin Board

September 18, 2002

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town  
on September 18<sup>th</sup>, 2002.

\_\_\_\_\_  
Town Clerk

(CORPORATE  
SEAL)

LEGAL NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on September 17, 2002, duly adopted the resolution published herewith subject to a permissivc referendum.

Dated: Riverhead, New York  
\_\_\_\_\_, 2002

\_\_\_\_\_  
Town Clerk

AFFIDAVIT OF POSTING

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

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

That on the \_\_\_\_\_ day of \_\_\_\_\_, 2002, I caused to be posted on the official  
signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of  
Adoption of a resolution adopted by the Town Board of said Town on the 19th day of September,  
2002.

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

\_\_\_\_\_  
Town Clerk

Sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2002

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

SEPTEMBER 17, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 970

OAK STREET, NORTHSIDE RD. & CENTRAL AVENUE

ROAD IMPROVEMENTS CAPITAL PROJECT

BUDGET ADOPTION

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

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

406.051100.487451.45031

TRANSFER FROM CHIPS

FROM:  
\$55,000.

406.051100.541301.45031 ROAD IMPROVEMENTS

TO:  
\$55,000.

THE VOTE

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

TOWN OF RIVERHEAD

Adopted

Resolution # 971

WATER DISTRICT

BUDGET ADJUSTMENTS

COUNCILMAN DENSIESKI 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 adjustments:

		<b>FROM:</b>
112.000000.390599	APPROPRIATED FUND BALANCE	\$160,000.
		<b>TO:</b>
112.083100.541100	REPAIR & MAINT.	\$85,000.
112.083200.524451	WATER METER EQUIPMENT	55,000.
112.083200.542503	CHEMICAL EXPENSE	20,000.

THE VOTE

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

TOWN OF RIVERHEAD  
ANIMAL SPAY & NEUTER PROGRAM  
BUDGET ADJUSTMENT

Adopted

RESOLUTION # 972

COUNCILMAN LULL 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:

029.099010.481028 TRANSFER FROM ANIMAL SHELTER FUND FROM:  
\$3,000.

029.035100.543220 VET CARE EXPENSES TO:  
\$3000.

THE VOTE

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

TOWN OF RIVERHEAD

Adopt

Resolution # 973

SEWER DISTRICT  
BUDGET ADJUSTMENT

COUNCILMAN LULL 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:	
114.0000000.390599	APPROPRIATED FUND BALANCE	\$12,500.	
			TO:
114.081300.541103	PUMP STATION MAINTENANCE		\$7,000.
114.081300.541500	TRUCK & CAR REPAIR		4,000.
114.081300.546304	PLANT FUELS		1,500.

THE VOTE

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

TOWN OF RIVERHEAD

AGENDA

Resolution # 974

SCAVENGER WASTE DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN DENSIESKI 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:

128.081890.546203

ELECTRICITY EXPENSE

FROM:  
\$4,500.

128.081890.541416

EQUIPMENT REPAIRS & IMPROVEMENTS

TO:  
\$4,500.

THE VOTE

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

TOWN OF RIVERHEAD  
HIGHWAY DEPARTMENT  
BUDGET ADJUSTMENT  
RESOLUTION # 975

COUNCILWOMAN BLAS 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:

111.051420.547504 LANDFILL EXPENSE **FROM:**  
\$200

111.051400.541205 TREE EXPENSE **TO:**  
\$200

THE VOTE

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

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 976

Adopted

COUNCILMAN DENFESKI 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:

001.013100.542700	FINANCE, COMPUTER SUPPLIES	FROM: \$200.
001.013100.549000	FINANCE, MISC. EXPENSE	TO: \$200.
001.013550.524000	ASSESSMENT, EQUIPMENT	FROM: \$500.
001.013550.541500	ASSESSMENT, CAR EXPENSES	TO: \$500.
001.000000.390599	APPROPRIATION FUND BALANCE	FROM: \$10,000.
001.036200.512500	SAFETY INSPECTION, OVERTIME	TO: \$10,000.
001.000000.390599	APPROPRIATION FUND BALANCE	FROM: \$2,000.
001.064100.542611	SHOW MOBILE EXPENSE	TO: \$2,000.
001.000000.390599	APPROPRIATION FUND BALANCE	FROM: \$400.
001.067720.541150	PROGRAMS OF AGING, BLDG REPAIRS	TO: \$400.
001.071100.546000	PARKS, UTILITIES	FROM: \$250.
001.071100.542000	PARKS, SUPPLIES	TO: \$250.

001.000000.390599	APPROPRIATION FUND BALANCE	FROM:	\$850.
001.071400.543901	REC. PROGRAM SPECIALIST	TO:	\$850.
001.071800.524000	BEACHES, EQUIPMENT	FROM:	\$1,000.
001.071800.547800	BEACHES, VACCINATIONS		690.
001.071800.547800	BEACHES, PROG. SUPPLIES	TO:	\$ 50.
001.071800.543405	BEACHES, TRAVEL EXPENSE		1,440.
001.071800.546400	BEACHES, WATER EXPENSE		200.
001.000000.390599	APPROPRIATION FUND BALANCE	FROM:	\$1,575.
001.016200.524000	SHARED SERVICES, EQUIPMENT	TO:	\$1,575.
001.079890.543405	TEEN CENTER, TRAVEL EXPENSE	FROM:	\$100.
001.079890.543700	TEEN CENTER, CONSULTANTS		100.
001.079890.524000	TEEN CENTER, EQUIPMENT	TO:	\$200.
001.050100.542100	TRANS ADM., OFFICE EXPENSE	FROM:	\$200.
001.050100.546400	TRANS. ADM., WATER EXPENSE	TO:	\$200.
001.031200.524227	POLICE, EMERGENCY LIGHTS	FROM:	\$2,000.
001.031200.524501	POLICE, PRISONER SHIELDS		2,200.
001.031200.524405	POLICE, UNIFORM EXPENSE		3,300.
001.031200.549000	POLICE, MISC. EXPENSE	TO:	\$7,500.

001.031200.524212 POLICE, RADAR EQUIPMENT	FROM: \$1,800.
001.031200.524906 POLICE, TRAINING EQUIPMENT	TO: \$1,800.
001.031200.524222 POLICE, CAMERA EQUIPMENT	FROM: \$1,000.
001.031200.542100 POLICE, CAMERA EQUIPMENT	TO: \$1,000.

THE VOTE

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

TOWN OF RIVERHEAD

Adopted

Resolution # 977

CALVERTON PARK - CDA

BUDGET ADJUSTMENT

COUNCILMAN DENSIESKI 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:

914.000000.3905990      APPROPRIATION FUND BALANCE      **FROM:**  
\$1,000.

914.069800.541203      GROUND REPAIRS & MAINTENANCE      **TO:**  
\$1,000.

THE VOTE

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

Adopted

September 16, 2002

## TOWN OF RIVERHEAD

Resolution # 978**GRANTS EXCAVATION PERMIT TO SEROTA AND SONS, INC.**

**COUNCILMAN DENNESIO** offered the following resolution,  
 which was seconded by **COUNCILMAN LULL**:

**WHEREAS**, Nathan Serota has petitioned the Town Board for site plan approval to allow the construction of a 126,200 square foot "Target" retail use upon such real property more particularly described as 0600-108-3-p/o13.1, which site plan was approved by the Town Board pursuant to resolution 509-02, and

**WHEREAS**, Nathan Serota has applied to the Town Board for an excavation permit pursuant to Chapter 62 of the Town Code of the Town of Riverhead to commence site work at the above referenced parcel in accordance with the approved site plan, and

**WHEREAS**, the applicant's engineer, Barrett, Bonacci & Van Weele, P.C., has submitted a letter indicating that 28,142 cubic yards of soil are expected to be removed from the site, and

**WHEREAS**, the Town Board has reviewed the application for excavation permit and has determined same is in compliance with the requirements of Chapter 62 in all respects, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that based upon the foregoing, the Town Board hereby grants the excavation permit requested by the applicant, such excavation permit authorizing the removal of not more than 31,000 cubic yards of soils, and be it further,

**RESOLVED**, the Building Department is hereby authorized to accept fees in the amount of \$14,071.00 dollars, representing .50 per yard for the soils to be removed and, be it further,

**RESOLVED**, that the excavation permit is conditioned upon the applicant's providing a site monitor to be present on the site during the excavation, said site monitor to be approved by and under the supervision of the Building Department, all other provisions of Chapter 62 being hereby waived pursuant to Chapter 62.5, and be it further,

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

~~THE RESOLUTION WAS~~  
Borden  Yes  No ~~CLAY~~  Yes  No  
Dawleski  Yes  No Lull  Yes  No  
Rozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT  
THEREUPON DULY ADOPTED

September 17, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 979

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER No. 2 FOR IRON PIER BEACH – GENERAL CONSTRUCTION

COUNCILMAN DENSIESKI offered the following resolution which

was seconded by COUNCILMAN LULL.

WHEREAS, on January 16, 2001, the Riverhead Town Board adopted Resolution No. 76 entitled, "Awards Bid for Iron Pier Reconstruction and Improvements"; and

WHEREAS, the general construction bid was awarded to Atlantic Coast Dock Building Corporation in the amount of One Million Seven Hundred Sixty Four Thousand Two Hundred Thirty Four & 00/100; and

WHEREAS, the Town Engineer has recommended that additional work was required for the list of items attached for a total of Twelve Thousand Four Hundred Forty One (\$12,441.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute a Change Order No. 2 in the amount of \$12,441.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Atlantic Coast Dock Building Corporation, 72 Tahlulah Lane, West Islip, NY 11795, Greg Kelsey, Sidney Bowne, P. O. Box 109, Mineola, NY 11501, Kenneth Testa, P.E. and the Office of Accounting.

THE VOTE

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

September 17, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 980

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER No. 2 FOR GRANGEBEL PARK BULKHEAD REPLACEMENT PROJECT

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

WHEREAS, on June 19, 2001, the Riverhead Town Board adopted Resolution No. 684 entitled, "Awards Bid for Grangebél Park Bulkhead Replacement Project"; and

WHEREAS, the bid was awarded to South Shore Docks, Inc. in the amount of Two Hundred Seven Thousand Seven Hundred & 00/100; and (\$207,700.00); and

WHEREAS, the Town Engineer recommended that additional work was required during construction to remove trees in order to properly position the bulkhead in the amount of Three Thousand Seven Hundred Fifty Thousand & 00/100 (\$3,750.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No. 2 for South Shore Docks, Inc. in the amount of \$3,750.00); and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to South Shore Docks, Inc., P.O. Box 37, East Quogue, NY 11942-0037, Kenneth Testa, P.E. , Andrea Lohneiss and the Office of Accounting.

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

September 17, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 981

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER NO. 2 FOR THE MUNICIPAL GARAGE MECHANICS MAINTENANCE FACILITY - ELECTRICAL

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

WHEREAS, on December 4, 2001, the Riverhead Town Board adopted Resolution No. 1192 entitled, "Awards Bid For Municipal Garage Mechanics Maintenance Facility Addition and Improvements, HVAC, Plumbing, Electrical; and

WHEREAS, the bid was awarded to Hawkeye Construction in the amount of One Hundred Ninety Four Thousand One Hundred Ninety & 00/100 (\$194,190.00); and

WHEREAS, the Town Engineer and H2M Group, our consulting engineer has recommended that additional work is required to install a new automatic transfer switch in lieu of a manual transfer switch in the amount of Four Thousand Forty & 00/100 (\$4,040.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No. 2 in the amount of \$4,040.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Hawkeye Construction, 2 Access Road, Patchogue, NY 11772, Kenneth Testa, P.E., Joseph A. Mile, AIA, H2M Group, 575 Broad Hollow Road, Melville, NY 11747-5076, and the Office of Accounting.

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

September 17, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 982

AUTHORIZES THE TOWN CLERK TO POST AND PUBLISH THE ATTACHED NOTICE TO BIDDERS FOR THE RESTORATION AND REPAIR OF THE FRESH POND SCHOOLHOUSE

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

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders in the September 25, 2002 issue of the official Town newspaper for the Restoration and repair of the Fresh Pond Schoolhouse, Riverhead, New York; 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	<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

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed proposals for the Restoration and Repair of the Fresh Pond Schoolhouse, 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 October 15, 2002 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about September 30, 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 \$100 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, "Restoration and Repair of Fresh Pond Schoolhouse" and must be accompanied by a bid surety as stated in Instructions to Bidders.

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, New York 11901

Dated: September 17, 2002

September 17, 2002

Adopted 1836

TOWN OF RIVERHEAD

RESCINDS RESOLUTION #832 AND AUTHORIZES  
TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS

RESOLUTION # 983

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

**WHEREAS**, the Town Board adopted Resolution #832 extending the bid for Water Service Materials for use by the Riverhead Water Districe; and

**WHEREAS**, procedure for extending said bid was not properly followed.

**WHEREAS**, the Town Board wishes to publish and post a notice to bidders for water service materials for use by the Riverhead Water District.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Riverhead hereby rescinds Resolution #832 adopted August 6, 2002; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for Water Service Materials; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to 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

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of WATER SERVICE MATERIALS for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m.** on **October 4, 2002**.

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

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

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

All bids are to be submitted in a sealed envelope bearing the designation BIDS FOR WATER SERVICE MATERIALS.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

September 17, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 984

REJECTS BID FOR THE CHAPTER 54 DEMOLITION OF THE STRUCTURE KNOWN AS 22 LEWIS STREET

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

WHEREAS, the Town Clerk was authorized to post and publish a Notice to Bidders for the Chapter 54 Demolition of 22 Lewis Street; and

WHEREAS, 4 bids were received, opened and read aloud on the 23<sup>rd</sup> day of August, 2002 in the Office of the Town Clerk at the time given in the Notice to Bidders.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board be and does hereby reject any and all bids received for the Chapter 54 Demolition of 22 Lewis Street; and

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

September 17, 2002

TOWN OF RIVERHEAD

RESOLUTION # 985

AWARDS BID FOR THE CHAPTER 54 DEMOLITION OF THE STRUCTURE  
KNOWN AS 23 LEWIS STREET, RIVERHEAD

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

WHEREAS, the Town Clerk was authorized to post and publish a Notice to Bidders  
for the Chapter 54 Demolition of 23 Lewis Street, Riverhead; and

WHEREAS, 2 bids were received, opened and read aloud on the 11<sup>th</sup> day of  
September, 2002 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue,  
Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Chapter 54  
Demolition of 23 Lewis Street be and is hereby awarded to Duffy Thompson in the  
amount of Seven Thousand Nine Hundred Dollars & 00/100 (7,900.00); and

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

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

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

Withdrawn 1840

September 17, 2002

TOWN OF RIVERHEAD

RESOLUTION # 986

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE TO BIDDERS FOR THE DOWNTOWN SIDEWALK BEAUTIFICATION PROJECT - SECOND STREET AND GRIFFING AVENUE

COUNCILMAN DENSIESKI offered the following resolution which was seconded by COUNCILWOMAN SANDERS to be Withdrawn

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders in the September 25, 2002 issue of the official Town newspaper for the Downtown Sidewalk Beautification Project - Second Street and Griffing Avenue, Riverhead, New York; 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 Densieski Yes No Lull Yes No Kozakiewicz Yes No THE RESOLUTION WAS NOT THEREUPON ADOPTED

Withdrawn

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed proposals for the Downtown Sidewalk Beautification Project – Second Street and Griffing Avenue, Riverhead, New York will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, Nw York, until 11:00 am on October 9, 2002, at which time they will be publicly opened and read aloud.

Plans and specification may be examined and obtained on or about September 25, 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 \$100.00 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 "Downtown Sidewalk Beautification Project – Second Street and Griffing Avenue" and must be accompanied by a bid surety as stated in the Instruction to Bidders.

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, New York

Dated: September 17, 2002

Adopted

September 17<sup>th</sup>, 2002

RESOLUTION # 987

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING - ZONING AMENDMENT - DEFINITION OF COUNTRY INN**

COUNCILWOMAN BLASS offered the following resolution, and was seconded by COUNCILMAN DENSLESKI

WHEREAS, by Local Law number 25 of 2002 the Riverhead Town Board did amend the Riverhead Zoning Ordinance to provide for Country Inn (s) as a specifically permitted use with the Recreational Zoning Use District; and

WHEREAS, upon the referral of the zoning amendment to the Riverhead Planning Board, the Board recommended that the amendment be approved subject to modifications made to the definition of "Country Inn"; and

WHEREAS, the Town Board desires to hold a public hearing on such modification at this time, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the following notice of public hearing.

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Riverhead Planning Department; the Riverhead Planning Board; the Riverhead Building Department and the Office of the Town Attorney.

Planning/egr

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			<input checked="" type="checkbox"/> WAS NOT		
THEREUPON BEING ADOPTED					

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 15th day of October, 2002 at 7:15 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

§108-3 Definitions.

~~COUNTRY INN -- A business or commercial use of a lot consisting of a building, not to exceed two stories, which contains not more than 50 rooms, which are arranged or designed to be made available as sleeping quarters for paying customers for not greater than a two-week rental basis. A restaurant or catering facility shall be permitted in the same building or on the same lot if the area of the subject lot is large enough to accommodate two of the uses.~~

COUNTRY INN -- A commercial use of real property consisting of a building not to exceed two stories and which contains no more than twenty (20) rooms arranged or designed to be made available as overnight accommodations for guests for a stay of no longer than a two (2) week rental. Accessory restaurant or tavern use of a premises shall be housed within the principal building with a total restaurant seating not to exceed six (6) times the number of guest units and total tavern seating not to exceed one third of the restaurant seating. The architectural style, height, size, scale and appearance of the building shall be compatible with the hamlet in which the country inn is located as determined in Town Board site plan approval.

Dated: Riverhead, New York  
September 17, 2002

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

\* Overstrike represents deletion(s)

\* Underline represents addition(s)

9/17/02

Adopted

TOWN OF RIVERHEAD

Resolution # 988

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS OF A PARCEL LOCATED IN THE TOWN OF RIVERHEAD (ROBERT H. GAMMON)**

**COUNCILMAN BLASS**

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

**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**, Robert H. Gammon has expressed a desire to sell the development rights of approximately 10 acres of his agricultural lands located on Manor Lane, Jamesport, New York, at \$31,666 per acre, further described as Suffolk County Tax Map #0600-68-2- p/o 20.1, to the Town of Riverhead.

**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 Robert H. Gammon, once in the Suffolk County Life on September 25, 2002, 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 Robert H. Gammon; 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.

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

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 1<sup>st</sup> day of October, 2002 at 7:40 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 10 acres of agricultural lands owned by Robert H. Gammon located on Manor Lane, Jamesport, New York, at \$31,666 per acre, further described as Suffolk County Tax Map #0600-68-2-p/o 20.1, pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code.

Dated: Riverhead, New York  
September 17, 2002

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopte

9/17/01

TOWN OF RIVERHEAD

Resolution # 989

AMENDS RESOLUTION #133 OF 2002 (APPROVES APPLICATION OF DRESSAGE AT SUNNY ACRES)

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, by Resolution #133, adopted on February 5, 2002, the Town Board approved the application of Dressage at Sunny Acres to conduct a Dressage Horse Show to be held at 1340 Edwards Avenue, Baiting Hollow, New York on eight (8) separate dates between April and November, 2002; and

WHEREAS, by letters dated August 26, 2002 and September 10, 2002, Dressage at Sunny Acres has requested a change of two of the days of the event as follows:

October 6, 2002 to be changed to October 20, 2002; and  
November 3, 2002 to be changed to November 10, 2002.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby authorizes the aforementioned change of two dates of this event; and be it further

RESOLVED, that all other terms and conditions of Resolution #133 shall remain in full force and effect; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Dressage at Sunny Acres, 1340 Edwards Avenue, Baiting Hollow, New York, 11933; Bruce Johnson, Riverhead Fire Marshal and Chief Hegermiller, Riverhead Police Department.

THE VOTE  
Sanders ✓ Yes \_\_\_ No Blass ✓ Yes \_\_\_ No  
Densieski ✓ Yes \_\_\_ No Lull ✓ Yes \_\_\_ No  
Kozakiewicz ✓ Yes \_\_\_ No  
THE RESOLUTION WAS NOT ADOPTED

Adopted

9/17/02

TOWN OF RIVERHEAD

Resolution # 990

APPROVES APPLICATION OF NORTHEAST ORGANIC FARMING ASSOCIATION

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, Northeast Organic Farming Association has submitted an application for the purpose of conducting a food tasting and public interest information in connection with organic techniques and working an organic farm at the location of 652 Peconic Bay Boulevard, Jamesport, New York, to be held on September 28, 2002 between the hours of 11:00 a.m. and 3:00 p.m., having a rain date of September 29, 2002; and

WHEREAS, a certificate of insurance naming the Town of Riverhead as an additional insured has been received; 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 Northeast Organic Farming Association for the purpose of conducting a food tasting and public interest information in connection with organic techniques and working an organic farm at the location of 652 Peconic Bay Boulevard, Jamesport, New York, to be held on September 28, 2002 between the hours of 11:00 a.m. and 3:00 p.m., having a rain date of September 29, 2002, 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. Northeast Organic Farming Association shall contact the Riverhead Fire Marshal at least three days in advance at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Northeast Organic Farming Association, P.O. Box 612, Calverton, New York, 11933; Bruce Johnson, Riverhead Fire Marshal and Chief Hegermiller, Riverhead Police Department.

Z:\Laura\chap90\Northeast.reso.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 FULLY ADOPTED

9/17/02

TOWN OF RIVERHEAD

Resolution # 991

**APPROVES THE APPLICATION FOR FIREWORKS PERMIT OF JANE RIVERA (VINEYARD CATERERS)**

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

**WHEREAS**, Jane Rivera has submitted a Fireworks Permit Application for the purpose of conducting a fireworks display to be held at Vineyard Caterers, Main Road, Aquebogue, New York on September 22, 2002 at 9:00 p.m.; and

**WHEREAS**, the Town Attorney is in receipt of a completed Fireworks Application executed by the Chief of the Jamesport Fire Department and the Riverhead Fire Marshal and a certificate of insurance from the fireworks company (Bay Fireworks, Inc.) naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to their form.

**NOW THEREFORE BE IT RESOLVED**, that the Fireworks Permit Application of Jane Rivera for the purpose of conducting a fireworks display to be held at Vineyard Caterers, Main Road, Aquebogue, New York on September 22, 2002 at 9:00 p.m. is hereby approved with the following conditions:

- The required fire suppression equipment and personnel shall be provided by Vineyard Caterers
- Scheduling a pre-event inspection between 12:00 noon and 2:00 p.m. on the day of the event having the Fireworks technician(s), the Riverhead Fire Marshal and the Jamesport Fire Chief in attendance.
- Fireworks and technicians must arrive at Vineyard Caterers no later than 2:00 p.m. on the day of the event;
- The fireworks shall be discharged between the hours of 8:00 p.m. and 9:00 p.m. The discharge of fireworks shall not be permitted beyond 9:00 p.m.; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jane Rivera, P.O. Box 220037, Great Neck, New York, 11022; the Jamesport Fire Department; Bruce Johnson, Riverhead Fire Marshal; the Office of the Town Attorney and Chief Hegermiller, Riverhead Police Department.

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 CULY ADOPTED

9/17/02

TOWN OF RIVERHEAD

Resolution # 992

APPROVES APPLICATION OF ABBESS FARM

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

WHEREAS, Abbess Farm has submitted an application for the purpose of conducting a corn maze walk and pumpkin picking at the location of 3581 Middle Country Road, Calverton, New York, to be held from 9:00 a.m. to 5:00 p.m. on the following dates:

- October 5<sup>th</sup> and 6<sup>th</sup>, 2002
- October 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup>, 2002
- October 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup>, 2002
- October 25<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup>, 2002
- October 31, 2002
- November 2<sup>nd</sup> and 3<sup>rd</sup>, 2002; 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 Abbess Farm for the purpose of conducting a corn maze walk and pumpkin picking at the location of 3581 Middle Country Road, Calverton, New York, to be held from 9:00 a.m. to 5:00 p.m. on the aforementioned dates is hereby approved; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Abbess Farm, 3581 Middle Country Road, Calverton, New York, 11933; Bruce Johnson, Riverhead Fire Marshal and Chief Hegermiller, Riverhead Police Department.

Z:\Laura\chap90\farm.res.doc

THE VOTE

Sanders  Yes \_\_\_ No \_\_\_ Blass  Yes \_\_\_ No \_\_\_

Densleski  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_

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

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON FULLY ADOPTED

Adopted

9/17/02

TOWN OF RIVERHEAD

Resolution # 993

APPROVES APPLICATION OF COOPERAGE INN

COUNCILMAN DENESLESKI offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, Cooperage Inn has submitted an application for the purpose of conducting weekend events to include face painting, a one-piece band, pony rides, food & drinks at the Cooperage Inn located at 2218 Sound Avenue, Calverton, New York, for four consecutive weekends from September 29, 2002 through October 20, 2002, between the hours of 12:00 noon and 6:00 p.m.; and

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

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 Cooperage Inn for the purpose of conducting weekend events to include face painting, one-piece band, pony rides, food & drinks at the Cooperage Inn located at 2218 Sound Avenue, Riverhead, New York, for four consecutive weekends from September 29, 2002 through October 20, 2002, between the hours of 12:00 noon 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. Cooperage Inn shall contact the Riverhead Fire Marshal at least three days in advance at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Cooperage Inn, 2218 Sound Avenue, Calverton, New York, 11933; the Riverhead Fire Marshal and Chief Hegermiller, 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 IT WAS ADOPTED

9/17/02

TOWN OF RIVERHEAD

Resolution # 994

APPROVES APPLICATION OF RIVERHEAD FOUNDATION FOR MARINE RESEARCH AND PRESERVATION

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

**WHEREAS**, the Riverhead Foundation For Marine Research and Preservation has submitted an application for the purpose of conducting a 5K Foot Race, said course to include a portion of East Main Street adjacent to the Atlantis Aquarium, Riverside Drive, River Avenue, and the east end of the Municipal Parking Lot, to be held on Saturday, November 2, 2002 between the hours of 10:00 a.m. and 12:00 noon; and

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

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

**WHEREAS**, the applicant has requested the application fee be waived.

**NOW THEREFORE BE IT RESOLVED**, that the application of the Riverhead Foundation For Marine Research and Preservation for the purpose of conducting a 5K Foot Race at the aforementioned locations to be held on Saturday, November 2, 2002 between the hours of 10:00 a.m. and 12:00 noon, 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 least three days in advance at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment; and be it further

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Foundation For Marine Research and Preservation, Attn: Pamela McDonald, 428 East Main Street, Riverhead, New York, 11901; the Riverhead Fire Marshal and Chief Hegermiller, Riverhead Police Department.

Z:\Laura\chap90\RiverheadFoundation.res.doc

**THE VOTE**  
Sanders ✓ Yes \_\_\_ No \_\_\_ Blass ✓ Yes \_\_\_ No \_\_\_  
Densleski ✓ Yes \_\_\_ No \_\_\_ Lull ✓ Yes \_\_\_ No \_\_\_  
Kozakiewicz ✓ Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS NOT REJECTED

9/17/02

Adopted

TOWN OF RIVERHEAD

Resolution # 995

APPOINTS INTERPRETATION CONSULTANT FOR POLICE DEPARTMENT AND JUSTICE COURT

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

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

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

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

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

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Maria A. Rabizo, 302 Orchid Drive, Mastic Beach, New York 11951; Police Chief David Hegermiller; Justice Richard Ehlers; Justice Allen Smith; the Office of Accounting and the Town Attorney's Office.

THE VOTE
Sandoro Yes No
Danzon Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopte

9/17/02

TOWN OF RIVERHEAD

Resolution # 996

APPOINTS A RECREATION SPECIALIST TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Gail Benevente is hereby appointed to serve as a Recreation Specialist with the working title of a Dance Instructor, effective October 5, 2002, to and including December 31, 2002, to be paid at the rate of \$25.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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 [X] Yes \_\_\_ No \_\_\_ Blas [X] Yes \_\_\_ No \_\_\_ Densleski [X] Yes \_\_\_ No \_\_\_ Lull [X] Yes \_\_\_ No \_\_\_ Kozakiewicz [X] Yes \_\_\_ No \_\_\_ THE RESOLUTION WAS [X] WAS NOT THEREFORE ADOPTED

1 Resolution Rec Specialist Gail Benevente

September 17, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 997

APPOINTS PURCHASING AGENT

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

WHEREAS, the position of Purchasing Agent has been created in the Accounting Department, and

WHEREAS, the Town has received a Certified List of Eligibles from the Suffolk County Department of Civil Service, list #02A-182, and

WHEREAS, Mary Ann Tague is the first person on the list,

NOW, THEREFORE, BE IT RESOLVED, that effective September 23, 2002 the Town Board hereby appoints Mary Ann Tague to the position of Purchasing Agent on Group 7 Step 3A of the Administrative Salary Schedule of the CSEA Contract; and

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

THE VOTE

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

Adopt

9/17/02

Town of Riverhead

Resolution # 998

Authorizes Attendance at Conference

COUNCILWOMAN SANDERS

offered the following resolution,

which was seconded by COUNCILMAN DENESKI:

WHEREAS, the Department of State is sponsoring a Quality Communities, Quality Coasts Conference in Albany, including sessions on downtown revitalization and historic preservation; and

WHEREAS, downtown redevelopment is a priority for the Town of Riverhead.

THEREFORE, BE IT FURTHER RESOLVED, that the Riverhead Town Board hereby authorizes Andrea Lohneiss to attend the Quality Communities, Quality Coasts Conference on October 22 and 23, 2002 at the Empire State Plaza Convention Center at a total cost not to exceed \$620.

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

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

9/17/02

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 999

AUTHORIZES ATTENDANCE OF ASSESSOR AT MEETING

Councilwoman Blass Offered the following resolution which was seconded by Councilwoman Sanders.

WHEREAS, on October 1, 2002 a meeting of the New York State Board of Real Property Services will be held in Albany, New York.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes attendance by the assessor at said meeting, and

BE IT FURTHER RESOLVED, that the assessor shall be reimbursed for costs of travel, lodging and meals, not to exceed \$250.00 and

BE IT FURTHER RESOLVED, that said expenses are to be fully receipted upon return, and

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

SEPTEMBER 17, 2002

# Tabled

TOWN OF RIVERHEAD

Resolution # 1000

**AUTHORIZES ATTENDANCE AT THE NATIONAL ANIMAL CONTROL ASSOCIATION TRAINING ACADEMY**

COUNCILWOMAN SANDERS

offered the following resolution ,

which was seconded by

COUNCILMAN DENSIESKI

**WHEREAS**, the National Animal Control Association is conducting a training seminar Workshop in Elyria, Ohio, October 21-25, 2002; and

**WHEREAS**, Sean McCabe, Animal Control Officer, has requested to attend this Workshop; and

**NOW, THEREFORE, BE IT, RESOLVED**, that the Town Board hereby authorizes the attendance of the aforementioned personnel at the Workshop in Elyria, Ohio , with reimbursement of expenses upon submission of proper receipts; and

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

COUNCILWOMAN SANDERS OFFERED THE RESOLUTION TO BE TABLED WHICH WAS SECONDED BY COUNCILMAN LULL.

	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

ALL MEMBERS IN FAVOR OF  
TABLING THE RESOLUTION.

# Tabled

Adopted

September 17, 2002

Town of Riverhead

Resolution # 1001

AUTHORIZES ATTENDANCE OF POLICE LIEUTENANT AND POLICE OFFICER AT TRAINING SEMINAR

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

WHEREAS, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of Lt. Richard Boden and P.O. James Wooten at a Training Seminar;

AND WHEREAS, the Training Seminar will be held in Albany, New York, October 17, 2002 (arrive October 16, 2002).

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of Lt. Richard Boden and P.O. James Wooten at the aforementioned training seminar; and

BE IT FURTHER RESOLVED that the Town Board authorizes reimbursement of expenses, not to exceed \$175.00, upon submission of proper receipts; and

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

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 # 1002

ACCEPTS IRREVOCABLE LETTER OF CREDIT OF WIANA REALTY CORP./ RIVERHEAD POOH, LLC

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

WHEREAS, Wiana Realty Corp. has posted an Irrevocable Letter of Credit (#S00045709) in the sum of Seventy Five Thousand Dollars (\$75,000) representing the 5% site plan bond for the work at Volkswagen Dealership, Old Country Road, Riverhead, New York - Suffolk County Tax Map # 600-101.00-02-013.00, 016.00, 017.00 & 018.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said letter of credit and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Seventy Five Thousand Dollars (\$75,000) issued to the Town of Riverhead, having an expiration date of September 5, 2003; 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 Martin Sendlewski, 215 Roanoke Avenue, Riverhead, New York 11901, Wiana Realty Corp. / Riverhead Pooh, LLC, 101 West 55<sup>th</sup> Street, New York, New York 10019, 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

Adopted

TOWN OF RIVERHEAD

Resolution # 1003

ACCEPTS IRREVOCABLE LETTER OF CREDIT OF WIANA REALTY CORP./  
RIVERHEAD POOH, LLC

COUNCILWOMAN SANDERS

offered the following resolution,

which was seconded by

COUNCILMAN DENFIESKI

WHEREAS, Wiana Realty Corp. has posted an Irrevocable Letter of Credit (#S00045710) in the sum of Fifty Eight Thousand Dollars (\$58,000) representing the 5% site plan bond for the work at Porsche Dealership, Old Country Road, Riverhead, New York - Suffolk County Tax Map # 600-101.00-02-013.00, 016.00, 017.00 & 018.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said letter of credit and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Fifty Eight Thousand Dollars (\$58,000) issued to the Town of Riverhead, having an expiration date of September 5, 2003; 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 Martin Sendlewski, 215 Roanoke Avenue, Riverhead, New York 11901, Wiana Realty Corp. / Riverhead Pooh, LLC, 101 West 55<sup>th</sup> Street, New York, New York 10019, 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

9/17/02

1861

Adopted

TOWN OF RIVERHEAD

Resolution #1004

ACCEPTS IRREVOCABLE LETTER OF CREDIT OF RIVERHEAD  
COMMERCE PARK ASSOCIATES, LLC

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN LULL

WHEREAS, Riverhead Commerce Park Associates, LLC (Richard Israel) has posted an Irrevocable Letter of Credit in the sum of Twenty Thousand One Hundred Seventy One Dollars (\$20,171) representing the 5% site plan bond for the work at Lot#3, Commerce Avenue, Riverhead, New York - Suffolk County Tax Map # 600-101.00-01-010.07 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said letter of credit and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Twenty Thousand One Hundred Seventy One Dollars (\$20,171) 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 Riverhead Commerce Park Associates, LLC, Richard Israel, 185 Old Country Road, Suite #5, Riverhead, New York 11901, 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

September 17th, 2002

TOWN OF RIVERHEAD

Resolution # 1005

**APPROVES AMENDED SITE PLAN OF SUFFOLK COUNTY NATIONAL  
BANK WADING RIVER BRANCH - ATM**

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

**WHEREAS**, a site plan and elevations were submitted by Suffolk County National Bank, for installation of a through-wall drive up ATM on an existing bank facility of 4,488 sq. ft., located at 2065 Wading River - Manorville Road, Wading River, 11792, New York, known and designated as Suffolk County Tax Map Number 0600-74-1-51.1; and

**WHEREAS**, the Planning Department has reviewed the site plan dated July 31, 2002, as prepared by Gary Jacquemin, AIA, and elevations dated July 31, 2002, as prepared by Gary Jacquemin, AIA, 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 Suffolk County National Bank, 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 site plan and elevations submitted by Suffolk County National Bank, for installation of a through-wall drive up ATM on an existing bank facility of 4,488 sq. ft., located at 2065 Wading River - Manorville Road, Wading River, 11792, New York, site plan dated July 31, 2002, as prepared by Gary Jacquemin, AIA, and elevations dated July 31, 2002, as prepared by Gary Jacquemin, AIA, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

consents to the Town of Riverhead to enter premises at 2065 Wading River - Manorville Road, Wading River, 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; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Charles E. Anderson, Facilities Manager, Suffolk County National Bank, 6 West Second Street, Riverhead, New York 11901, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

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 ADOPTED

## DECLARATION AND COVENANTS

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 2002, made by Suffolk County National Bank, residing at PO Box 9000, 6 West 2nd Street, Riverhead, New York 11901, Declarant:

### WITNESSETH:

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

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

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

### NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Suffolk County National Bank hereby authorizes and consents to the Town of Riverhead to enter premises at 2065 Wading River - Manorville Road, Wading River, , New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;

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

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

---

Suffolk County National Bank

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.

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NOTARY

PUBLIC

September 17th, 2002

Adopted

## TOWN OF RIVERHEAD

Resolution # 1006AMENDS SITE PLAN OF KAMCO - LOADING DOCK

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

**WHEREAS**, a site plan and elevations were submitted by KAMCO Supply Company, as contract vendee, for the construction of a 1,956 sq. ft. loading dock addition onto an existing building, located at Calverton Enterprise Park, 4062 Grumman Blvd., Building #649, Calverton, New York 11933, known and designated as Suffolk County Tax Map Number 0600-135-1-2-7.27; and

**WHEREAS**, the Planning Department has reviewed the site plan dated December 5th, 2001, as prepared by Kenneth M. Woychuk, L.S., and elevations dated December 5th, 2001, as prepared by Kenneth M. Woychuk, L.S., 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 19110 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 KAMCO Supply Company, 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**

planning/egr

**RESOLVED**, that the site plan and elevations submitted by KAMCO Supply Company, for for the placement of a 1,956 sq. ft. loading dock addition onto an existing building, located at Calverton Enterprise Park, 4062 Grumman Blvd., Building #649, Calverton, New York 11933, site plan dated December 5th, 2001, as prepared by Kenneth M. Woychuk, L.S., and elevations dated December 5th, 2001, as prepared by Kenneth M. Woychuk, L.S., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

filing of this document, 4062 Grumman Blvd Realty hereby authorizes and consents to the Town of Riverhead to enter premises at Calverton Enterprise Park, 4062 Grumman Blvd., Building #649, Calverton, New York 11933, New York, to enforce said handicapped parking regulations;

- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all new utilities shall be constructed underground;
- 12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other 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 all necessary permits, certificates of occupancy and certificates of compliance shall be applied for by the property owner;
- 16. That no building permit shall be issued prior to the connection of the premises to the appurtances of both the Riverhead Water District and the Riverhead Sewer District; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Mayda S. Idone, KAMCO Supply Company, 80 21<sup>st</sup>, Brooklyn, New York 11232, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Sanders  Yes  No    Blass  Yes  No  
 Densleski  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON PUBLICLY ADOPTED

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_\_ day of \_\_\_\_\_, 2002, made by 4062 Grumman Blvd Realty Inc, residing at 80 21st Street, Brooklyn, New York 11232, Declarant:

### WITNESSETH:

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

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

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

### NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, 4062 Grumman Blvd Realty hereby authorizes and consents to the Town of Riverhead to enter premises at Calverton Enterprise Park, 4062 Grumman Blvd., Building #649, 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;

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

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

\_\_\_\_\_  
4062 Grumman Blvd Realty Inc.

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

RESOLUTION # 1007 ABSTRACT #36-02 SEPTEMBER 5, 2002 (TBM 09/17/02)				
COUNCILMAN LULL		offered the following Resolution which was seconded by		
COUNCILWOMAN SANDERS				
FUND NAME		CD 08/30/02	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 3,700,000.00	\$ 500,189.32	\$ 4,200,189.32
POLICE ATHLETIC LEAGUE	004	\$ 3,500.00	\$ 1,665.00	\$ 5,165.00
TEEN CENTER	005	\$ 3,500.00	\$ -	\$ 3,500.00
RECREATION PROGRAM	006	\$ 90,000.00	\$ 12,441.70	\$ 102,441.70
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ 3,000.00	\$ -	\$ 3,000.00
CHILD CARE CENTER BUILDING FUND	009	\$ 15,000.00	\$ 1,474.22	\$ 16,474.22
AG-FEST COMMITTEE FUND	021	\$ -	\$ 1,502.78	\$ 1,502.78
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ 500.00	\$ -	\$ 500.00
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 2,650.52	\$ 2,650.52
COMMUNITY P.E.T.S. SHELTER	028	\$ 10,000.00	\$ -	\$ 10,000.00
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ 18,000.00	\$ -	\$ 18,000.00
HIGHWAY	111	\$ 950,000.00	\$ 72,314.61	\$ 1,022,314.61
WATER	112	\$ 575,000.00	\$ 126,280.65	\$ 701,280.65
REPAIR & MAINTENANCE	113	\$ 150,000.00	\$ -	\$ 150,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 335,000.00	\$ 21,873.51	\$ 356,873.51
REFUSE & GARBAGE COLLECTION	115	\$ 315,000.00	\$ 4,332.07	\$ 319,332.07
STREET LIGHTING	116	\$ 165,000.00	\$ 6,613.80	\$ 171,613.80
PUBLIC PARKING	117	\$ 80,000.00	\$ 2,754.31	\$ 82,754.31
BUSINESS IMPROVEMENT DISTRICT	118	\$ 20,000.00	\$ 4,711.24	\$ 24,711.24
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 215,000.00	\$ -	\$ 215,000.00
CALVERTON SEWER DISTRICT	124	\$ 80,000.00	\$ 7,442.60	\$ 87,442.60
RIVERHEAD SCAV WASTE DISTRICT	128	\$ -	\$ 13,053.45	\$ 13,053.45
WORKER'S COMPENSATION FUND	173	\$ 1,015,000.00	\$ 13,721.94	\$ 1,028,721.94
RISK RETENTION FUND	175	\$ 350,000.00	\$ -	\$ 350,000.00
UNEMPLOYMENT INSURANCE FUND	176	\$ 5,500.00	\$ -	\$ 5,500.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 1,305.36	\$ 1,305.36
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 23,000.00	\$ -	\$ 23,000.00
SEWER DISTRICT DEBT	382	\$ 1,100,000.00	\$ -	\$ 1,100,000.00
WATER DEBT	383	\$ 178,000.00	\$ -	\$ 178,000.00
GENERAL FUND DEBT SERVICE	384	\$ 14,000.00	\$ -	\$ 14,000.00
SCAVENGER WASTE DEBT	385	\$ 7,500.00	\$ -	\$ 7,500.00
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 109,828.11	\$ 109,828.11
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 150,000.00	\$ -	\$ 150,000.00
YOUTH SERVICES	452	\$ -	\$ 1,893.09	\$ 1,893.09
SENIORS HELPING SENIORS	453	\$ -	\$ 1,372.41	\$ 1,372.41
EISEP	454	\$ -	\$ 1,210.98	\$ 1,210.98
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 21,000.00	\$ 4,533.91	\$ 25,533.91
MUNICIPAL GARAGE	626	\$ 25,000.00	\$ 15,098.21	\$ 40,098.21
TRUST & AGENCY	735	\$ -	\$ 643,603.22	\$ 643,603.22
SPECIAL TRUST	736	\$ 50,000.00	\$ -	\$ 50,000.00
COMMUNITY PRESERVATION FUND	737	\$ 400,000.00	\$ -	\$ 400,000.00
CDA-CALVERTON	914	\$ 75,000.00	\$ 5,408.29	\$ 80,408.29
COMMUNITY DEVELOPMENT AGENCY	915	\$ 12,000.00	\$ -	\$ 12,000.00
JOINT SCAVENGER WASTE	918	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
<b>TOTALS</b>		<b>\$ 10,764,500.00</b>	<b>\$ 1,577,285.30</b>	<b>\$ 12,341,785.30</b>

THE VOTE

Sanders  Yes  No  Blank  Yes  No

Densieski  Yes  No  Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS NOT RECORDED

RESOLUTION # 1007 ABSTRACT #37-02 SEPTEMBER 12, 2002 (TBM 09/17/02)			
COUNCILMAN LULL			
COUNCILWOMAN SANDERS			
offered the following Resolution which was seconded by			
FUND NAME		CD NONE	CHECKRUN TOTALS
			GRAND TOTALS
GENERAL TOWN	001	\$	82,755.25
POLICE ATHLETIC LEAGUE	004	\$	2,000.00
TEEN CENTER	005	\$	-
RECREATION PROGRAM	006	\$	2,415.00
SR NUTRITION SITE COUNCIL	007	\$	-
D.A.R.E. PROGRAM FUND	008	\$	-
CHILD CARE CENTER BUILDING FUND	009	\$	-
AG-FEST COMMITTEE FUND	021	\$	-
HUMAN SERVICES FUND	022	\$	-
TOWN BD SPECIAL PROGRAM FND	024	\$	-
YOUTH COURT SCHOLARSHIP FUND	025	\$	-
SRS DAYCARE BUILDING FUND	027	\$	-
COMMUNITY P.E.T.S. SHELTER	028	\$	-
ANIMAL SPAY & NEUTERING FUND	029	\$	328.00
EDZ FUND	030	\$	-
HIGHWAY	111	\$	15,875.50
WATER	112	\$	37,589.19
REPAIR & MAINTENANCE	113	\$	-
RIVERHEAD SEWER DISTRICT	114	\$	4,409.18
REFUSE & GARBAGE COLLECTION	115	\$	9,775.66
STREET LIGHTING	116	\$	1,152.47
PUBLIC PARKING	117	\$	3,222.64
BUSINESS IMPROVEMENT DISTRICT	118	\$	1,642.17
TOR URBAN DEV CORP TRUST ACCT	119	\$	-
AMBULANCE DISTRICT	120	\$	2,155.67
CALVERTON SEWER DISTRICT	124	\$	2,876.34
RIVERHEAD SCAV WASTE DISTRICT	128	\$	1,516.79
WORKER'S COMPENSATION FUND	173	\$	3,915.86
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	\$	1,048.43
URBAN DEVEL CORP WORKING	182	\$	-
RESTORE	184	\$	-
PUBLIC PARKING DEBT	381	\$	-
SEWER DISTRICT DEBT	382	\$	-
WATER DEBT	383	\$	1,222.82
GENERAL FUND DEBT SERVICE	384	\$	6,847.83
SCAVENGER WASTE DEBT	385	\$	-
TOWN HALL CAPITAL PROJECTS	400	\$	5,553.95
EIGHT HUNDRED SERIES	408	\$	-
WATER IMPROVEMENT CAP PROJ	409	\$	-
NUTRITION CAPITAL IMPS	441	\$	-
CHIPS	451	\$	-
YOUTH SERVICES	452	\$	-
SENIORS HELPING SENIORS	453	\$	-
EISEP	454	\$	-
SCAVENGER WASTE CAP PROJ	470	\$	-
MUNICIPAL FUEL FUND	825	\$	7,733.29
MUNICIPAL GARAGE	826	\$	1,034.84
TRUST & AGENCY	735	\$	119.55
SPECIAL TRUST	736	\$	-
COMMUNITY PRESERVATION FUND	737	\$	-
CDA-CALVERTON	914	\$	-
COMMUNITY DEVELOPMENT AGENCY	915	\$	-
JOINT SCAVENGER WASTE	918	\$	-
CENTRAL CLEARING ACCOUNT	999	\$	-
<b>TOTALS</b>		\$	<b>196,090.53</b>
		\$	

**THE VOTE**

Sanders  Yes  No  
 Demastri  Yes  No  
 Lull  Yes  No

RESOLUTION WAS  WAS NOT   
 HEREUPON DULY ADOPTED

SEPTEMBER 17, 2002

Adopted<sup>1874</sup>

TOWN OF RIVERHEAD

Resolution # 1008

'99 DOWNTOWN SIDEWALK IMPROVEMENT

CAPITAL PROJECT

BUDGET ADJUSTMENT

~~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 adjustment:

406.095031.481024.43003	TRANSFER FROM TB SPECIAL REVENUE FUND	FROM: \$50,000.
406.054100.541206.43003	SIDEWALK CONSTRUCTION	TO: \$50,000.

THE VOTE

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

September 17, 2002

TOWN OF RIVERHEAD

RESOLUTION # 1009

RATIFIES BID AWARD FOR DOWNTOWN BEAUTIFICATION PROJECT,  
SECOND STREET AND GRIFFING AVENUE SIDEWALK IMPROVEMENTS

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

WHEREAS, the Town Board adopted Resolution 1173 of 2001 which awarded Phases A and B, of the three phase bid for the downtown beautification project involving Second Street and Griffing Avenue sidewalk improvements to Tech Con Contracting, Inc., in the amount of One Hundred Forty One Thousand Eight Hundred Twenty & 00/100 (\$141, 820.00); and

WHEREAS, the Town Board now wishes to include Phase C of the Downtown Beautification Project in the bid award; and

WHEREAS, Tech Con Contracting, Inc., was the low bidder for a grand total bid for Phases A, B and C, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board ratifies the award for the Downtown Beautification Project per Resolution 1173 of 2001 and hereby awards Phase C, for a grand total award for the entire project of Two Hundred Sixty Seven Thousand Two Hundred Ninety Five Dollars and 00/100 (\$267,295.00) to Tech Con Contracting, Inc., and be it further

RESOLVED, that Tech Con Contracting, Inc. shall have 10 days from the date hereof to execute an addendum to its contract with the Town of Riverhead to include Phase C therein, and be it further

RESOLVED, the Town Clerk be and is hereby authorized to forward a copy of this resolution to Tech Con Contracting, Inc., Kenneth Testa, P.E., Andrea Lohneiss, Lou Kalogeras, P.E., and the Office of Accounting.

**THE VOTE**

Gendron Yes  No  Blas Yes  No  
 Denreski Yes  No  Lull Yes  No  
 Kozakowicz Yes  No

**THE RESOLUTION WAS  WAS NOT**

**THEREUPON DULY ADOPTED**