Town Clerk

TOWN BOARD MEETING AGENDA

September 19, 2000

ROBERT F. KOZAKIEWICZ, Supervisor

Edward Densieski, Councilman
Christopher Kent, Councilman
Philip Cardinale, Councilman
James Lull, Councilman

Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney

ELECTED OFFICIALS

Laverne Tennenberg	Chairwoman Board of Assessors
Madelyn Sendlewski	Board of Assessors
Paul Leszczynski	Board of Assessors
Mark Kwasna	Highway Superintendent
Diane M. Stuke	Receiver of Taxes
Richard Ehlers	Town Justice
Henry Saxtein	Town Justice

DEPARTMENT HEADS

John J. Hansen	Accounting Department
Leroy Barnes	Building Department
Andrea Lohneiss	Community Development
Ken Testa	Engineering Department
Richard Hanley	Planning Department
Chief Joseph Grattan	Police Department
Jane Vanden Thoorn	Recreation Department
Judy Doll	Senior Services
John Reeve	Sanitation Department
Michael Reichel	Sewer District
Gary Pendzick	Water Department

Call to Order and Salute to the Flag

Approves Minutes of Town Board Meeting of September 5th, 2000, moved by Councilperson Giaccoski -Ull, seconded by Councilperson _____,

and Special Board Meeting of August 31, 2000
and Special Board Meeting of September 14, 2000

Ken Giaccoski

REPORTS

Police Dept.	Monthly Report for June, 2000
Juvenile Aid Bureau:	Monthly Report for August, 2000
Animal Shelter:	Monthly Report for August, 2000
Open Bid Report:	Iron Pier Beach Improvements-Opened: 9/8/00 Five Bids Were Received

1. Atlantic Coast Dock Building	Bid Amount: $1,987,634.00
2. Chesterfield Associates	Bid Amount: $2,038,099.00
3. Amma Construction	Bid Amount: $2,144,732.00
4. Galvin Brothers	Bid Amount: $2,159,827.00
5. Carter-Melence Inc.	Bid Amount: $2,479,317.00

APPLICATIONS

Parade Permit:	Riverhead Central School District-Oct. 6, 2000-5 p.m.
Helen's Greenhouse:	Sept. thru Oct. 9 a.m. to 6 p.m. Hayrides
Riverhead B.I.D.:	July 20,21,22,2001-Blues Festival

APPLICATIONS CONTINUED:

Site Plan: Cablevision Telecommunications Facility-201 Old Country Rd. Demolish existing office bldng and redevelop storage building.

Empire Gas Station-640 Old country Rd. Rhd.-Replace existing Pump islands & dispensers.

Riverhead Centre-N/E/C Route 58 & Mill Road-Construction of Lumberyard and retail center.

Shows & Exhibition Permits: Park Avenue Farms LTD.-October 14-27-Benefit for Susan G. Komen Breast Cancer Research Foundation.

CORRESPONDENCE

Helga Guthy: Re: Open Space Purchases

Re: Referendum on bringing in the FAA to the Grumman site.

Steve Hazilip: Letter of Appeal to August 14th, Recreation Meeting.

Catherine Murrell: Letter of Resignation

Coastal Environmental Corporation: Re: Hydell Site Plan- Pulaski St. & Marcy Ave.

Pat Cisarano: Re: Participating in next years Blues Festival.

Greater Calverton Civic Assoc.: Re: The proposed airport at Grumman Facility

North Fork Environmental Council, Inc. Re: The River Club

19 Postcards in opposition to the Calverton jetport

Petition with 61 names in opposition to Griffing Hardware, Paints Plus & Revco
Re: The Lawsuits

COMMITTEE REPORTS

PUBLIC HEARINGS

2:05 p.m. The proposed use of a $39,030 grant awarded by the Department of Justice Local Law Enforcement Block Grant Program.

2:15 p.m. The consideration of a Local Law to amend Chapter 101 of the Riverhead Town Code;
Section 101.10 Parking Prohibited

Street	Side	Location
Dogwood Road	East	From a point of its intersection with Cedar Road Northerly for a distance of 80 feet.

2:20 p.m. The consideration of a Local Law changing the term of office of the Town Clerk and Highway Superintendent from 2 years to 4 years.

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:

Community Development Meeting:

#26 Authorizes Chairman to Execute License Agreement with the Alfred T. Tebbons Steel Corp.

#27 Authorizes Chairman to Execute License Agreement with Top 20 Lacrosse Camps

Regular Town Board Meeting:

#829 Approves Application of Helen's Greenhouse (Hayrides)

#830 Appoints the Law Firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP to Commence Condemnation Proceedings in Connection with Various Properties Located within the Railroad Street Revitalization Project

#831 Authorizes Fire Marshal to Use Town Vehicle and Participate in Wildfire Cause and Origin Investigations

#832 Authorizes Attendance of Three Police Officers at Conference

#833 Authorizes Attendance of Two Detectives at Training Seminar

#834 Authorizes Attendance of Two Detectives at Training Seminar

#835 Resolution to Request Suffolk County Greenways Funding for Land Acquisition to be Utilized as Recreation

#836 Authorizes the Execution of a Contract for New York State Assistance from the Household Hazardous Waste (HHW) State Assistance Program

#837 Approves Site Plan of Budget Beepers

#838 Classifies Action and Declares Lead Agency on Change of Zone and Special Permit of Sunken Ponds Estates II Refers Petition to Planning Board

#839 Approves Temporary Sign Permit of the Links at Wading River

#840 Approves Temporary Sign Permit of Florsheim

#841 Authorization to Publish Bid for Office Supplies

#842	Authorizes Town Clerk to Advertise for Bids for One (1) New Diesel Leaf Vacuum
#843	Authorization to Publish Bid for #4 and #6 Fuel Oil
#844	Awards Bid for Iron Pier Reconstruction and Improvements
#845	Awards Bid for Extension No. 54, Twomey Avenue
#846	Amends Resolution #776
#847	Appoints a recreation Aide to the Riverhead Recreation Department (Alexander Stewart)
#848	Promotes Senior Account Clerk Typist to the Position of Head Clerk
#849	Appoints a Recreation Aide to the Riverhead Recreation Department
#850	Appoints a Recreation Aide/Arts & Crafts Instructor to the Riverhead Recreation Department (Anne Marie Tucci)
#851	Appoints a Recreation Aide to the Riverhead Recreation Department (Doreen Jackson)
#852	Appoints Recreation Aides for the Purpose of Being Basketball Leaders to the Riverhead Recreation Department
#853	Ratifies Extension of Military Leave
#854	Accepts Resignation of a Police Officer in the Police Department (Robert J. Kall)
#855	Local Street & Highway Capital Project Budget Adjustment
#856	Joint Scavenger Waste District Budget Adjustment
#857	Sewer District Budget Adjustment
#858	Stotzky Park Skateboard Complex Capital Project Budget Adjustment
#859	South Jamesport Sidewalk Improvement Capital Project Budget Adjustment

#860 Highway Department Budget Adjustment

#861 Iron Pier Beach Improvement Capital Project Budget Adjustment

#862 Y2K Recreation Capital Improvement Project Budget Adjustment

#863 Authorizes the Town of Riverhead to Secure, Demolish or Remove Unsafe Building or Structure Pursuant to Chapter 54 of the Riverhead Town Code (Lloyd Seymour-34 Oak Drive)

#864 Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code

#865 Order Establishing Extension 59 to the Riverhead Water District Deep Hole Road Subdivision

#866 A Resolution Authorizing the Issuance of an Additional $2,000,000 Serial Bonds of the Town of Riverhead, to Pay Additional Costs of the Acquisition of Land at Railroad Avenue as the Site of Future Public Parking in and for Said Town.

#867 Authorizes the Supervisor to Execute Agreement Between the Town of Riverhead and Riverhead Theater Corp.

#868 Establishes Committee and Appoints Members

#869 Appoints Provisional Account Clerk Typist in Community Development (Joy Clifford)

#870 Denies Special Permit Application of Agri-Business Child Development; A/K/A Grace's Place

#871 General Fund Budget Adjustment

#872 Re-Establishes Agricultural Advisory Board and Reappoints Members to the Board

#873 Authorization to Publish Bid for Four Wheel Drive Sport Utility Vehicle

#874 Pays Bills

#875 Adopts a Local Law Entitled, "Local Law to Chance the Term of Office of the Town Clerk and Highway Superintendent from 2 Years to 4 Years"

9/19/00

Town of Riverhead Community Development Agency **Adopted**

Resolution # 26

Authorizes Chairman to Execute License Agreement with The Alfred T Tebbens Steel Corp.

Member COUNCILMAN KENT offered the following resolution,

which was seconded by Member COUNCILMAN CARDINALE:

WHEREAS, The Alfred T Tebbens Steel Corp. desires to lease the entire Flight Emergency Building (07-04), 6,000 square feet, at $5 per square foot beginning October 1, 2000 for up to six months; and

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

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

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

WHEREAS, the CDA will realize net income of $2,539.17 per month during the license period.

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

AND BE IT FURTHER RESOLVED, that the License Agreement is to be executed upon issuance of a use permit by the Building Department and site plan approval by the Town Board.

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

The Vote:

Member Densieski	Yes
Member Cardinale	Yes
Member Kent	Yes
Member Lull	Yes
Chairman Kozakiewicz	Yes

The Alfred T Tebbens Steel Corp. **DRAFT**

LICENSE

License ("License"), made as of the ___ day of September, 2000, by and between **the Town of Riverhead Community Development Agency**, having an address at 200 Howell Avenue, Riverhead, NY 11901, Attention: Andrea Lohneiss ("Licensor") and **The Alfred T Tebbens Steel Corp.**, a corporation having an address at: 10 Canal Street, Center Moriches, NY 11934, Attention: Thomas Tebbens Sr. ("Licensee").

W I T N E S S E T H

WHEREAS, Licensor desires to license to Licensee, and Licensee desires to license to Licensor, the right to use approximately 6,094 square feet in Building 07-04 (Flight Emergency Buidling) as depicted on Exhibit A (the "License Premises") located at the property formerly known as the Naval Weapons Industrial Reserve Plant, Department of Defense Number 466, Calverton, New York (the "Calverton Site"), upon all of the terms and conditions hereinafter set forth;

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

1. **LICENSING.** Upon the terms and conditions hereafter set forth, Licensor hereby licenses to Licensee, and Licensee hereby licenses from Licensor, the right to use the License Premises.

2. **TERM OF LICENSE.** The term of this License (the "Term") shall commence on October 1, 2000 (the "License Commencement Date") and shall end on the earlier of (a) March 31, 2001 and (b) the date on which the closing shall occur under that certain Agreement of Sale dated as of June 15, 1999 between Licensor and Calverton Camelot LLC. (in either case, the "Expiration Date") or such earlier date upon which this License shall expire or be canceled or terminated pursuant to any of the conditions or covenants of this License or pursuant to law. Notwithstanding anything to the contrary contained in this License, Licensor shall have the right, exercisable in its sole discretion, to terminate this License effective immediately upon written notice from Licensor to Licensee, if (i) Licensee shall default under or be in breach, of in any of its obligations, representations or warranties hereunder and (ii) such default continues for (x) five days after written notice form Licensor with respect to monetary defaults or (y) thirty days after written notice from Licensor with respect to nonmonetary defaults. If Licensor shall so terminate this License, from and after the termination date neither party hereto shall have any rights or obligations hereunder other than those that, pursuant to the express terms hereof, survive termination of this License; provided that Licensee shall remain liable to Licensor for any default or breach by Licensee that occurred prior to such termination. Furthermore, this License is not, and shall not be construed to be, a lease or a sublease and nothing contained in this License shall be construed as granting to Licensee any interest or right as tenant or subtenant or any other interest or right other than the interest of a Licensee in accordance with the terms and provisions hereof.

3. **CONDITIONS OF LICENSE PREMISES.** Licensee agrees to accept the License Premises "as is," and Licensor shall have no obligation to perform any work or repairs on behalf of Licensee. Licensee acknowledges that no representations with respect to the condition of the License Premises, or with respect to any improvement or fixtures thereon or attached thereto, have been made to it. Licensee shall be responsible for all start-up costs and expenses and for all costs and expenses associated with the operation of the License Premises, including without limitation, utility usage costs. Invoices will be provided to Licensee monthly and re to be paid within 10 days. Specifically, Licensee must install electric and steam meters and incur other start-up costs, including but not limited to reactivation of sprinklers, including quarterly testing as required by the Riverhead Fire Marshall, and reactivation of bathrooms. Licensee is responsible for connection of building to municipal water upon installation of the mains including design, inspection and key money.

4. **SECURITY DEPOSIT.** Licensee shall deposit with Licensor on the date hereof an amount equal to $2,539.17 as security for the faithful performance and observation by Licensee of the terms, conditions and provisions of this License. If a default shall occur and be continuing hereunder, Licensor may apply or retain the whole or any part of the security so deposited to the extent necessary to cure such default. Upon termination of this License, Licensor shall return to Licensee such deposit, less any amounts to which Licensor is entitled pursuant to the terms hereof.

5. **LICENSE FEE.** Licensee shall pay to Licensor, in accordance with Section 6 hereof (a) on the date hereof an amount equal to $7,617.50 and (b) on the first business day of each month commencing with January 1, 2001, an amount equal to $2,539.17 (all of the amounts to be paid by Licensee hereunder, collectively, the "Fee"). In the event that the Term shall terminate on a day other than the last day of a calendar month or in the event that the Term shall terminate prior to December 31, 2000, Licensor and Licensee shall equitably prorate the amount of the Fee actually paid to Licensor for such period.

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

6. **PAYMENT.** The Fee and all other charges, costs and expenses payable by Licensee under this License shall be paid by certified check payable to the order of the Town of Riverhead Community Development Agency and delivered to Andrea Lohneiss at the address provided for Licensor in the preamble to this License, without notice or demand therefor (except to the extent otherwise expressly provided herein) and without any deduction, credit, set-off, counterclaim or abatement whatsoever in every case in which Licensee is required to pay Licensor a sum of money and said sum (or any portion thereof) is not Paid when due, interest at an annual rate of 12%

shall be payable on such sum (or so much thereof as shall be unpaid) from the date said sum becomes due until the date the unpaid amount is paid.

7. USE; COVENANTS. (a) Licensee shall use the License Premises only for the steel and metal fabricating (the "Uses") to prepare the License Premises for the same and to clean and restore the License Premises, in each case, in accordance with, and subject to, the terms and provisions of this License. Licensee shall be responsible for compliance with local zoning and for obtaining all permits necessary to conduct its business.

(b) Licensee, at its own cost and expense, shall protect, maintain, and keep in good order, the License Premises.

(c) No additions to, or alterations of, the License Premises shall be made without the prior consent of Licensor or in violation of any applicable building codes. Upon revocation or surrender of this License, to the extent directed by Licensor, Licensee shall remove all alterations, additions, betterments and improvements made, or installed, and restore the License Premises to the same, or as good condition as existed on the date of entry under this License, reasonable wear and tear excepted.

(d) Licensee shall be liable for any loss of, or damage to, the Calverton Site incurred in connection with the Uses and shall make restoration or repair, or monetary compensation as may be directed by Licensor. Licensee shall maintain, at a minimum, the types and amounts of insurance evidenced by the certificates attached hereto as Exhibit B. Licensee agrees that not less than thirty (30) days prior to the expiration of any insurance required by this License, it will deliver to Licensor's local representative a certificate of insurance or a certified copy of each renewal policy to cover the same risks. Each policy of insurance required hereunder shall name Licensor "Town of Riverhead Community Development Agency" and "Grubb & Ellis Management Services, Inc." as additional insureds. In the event that any items or part of the Calverton Site shall require repair, rebuilding or replacement resulting from loss or damage, the risk of which is assumed under this Section 7, Licensee shall promptly give notice thereof to Licensor and shall, upon demand, either compensate Licensor for such loss or damage, or rebuild, replace or repair the item or items of the Calverton Site so lost or damaged, as Licensor may elect. In the event Licensee shall not have been required to effect such repair, rebuilding, or replacement, and the insurance proceeds allocable to the loss or damage that has created the need for such repair, rebuilding or replacement have been paid to Licensee, Licensee shall promptly refund to Licensor the amount of such proceeds.

(e) Without limiting the generality of any other provision of this Agreement, Licensee hereby covenants and agrees that Licensee shall provide ample vehicles, personnel, equipment and containers to clean the License Premises and insure that the same is restored to as good condition, subject to reasonable wear and tear, on the Expiration Date as it was in on the License Commencement Date.

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

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

8. **ASSIGNMENT AND LICENSING.** Notwithstanding anything to the contrary contained in this License, Licensee shall not assign this License, License the License Premises in whole or in part or permit Licensee's interest in this License to be vested in any party other than Licensee by operation f law or otherwise. A transfer of more than fifty (50%) at any one time or, in the aggregate from time to time, of the stock, partnership or other ownership interests in Licensee, direct or indirectly shall be deemed to be an assignment of this License.

9. **LICENSOR'S REMEDIES.** (a) If Licensee fails to perform any of its obligations hereunder in accordance with the terms hereof, then , after reasonable notice to Licensee not to exceed thirty (30) days, and an opportunity for Licensee to cure such failure, (except in case of emergency) License may (but shall not be obligated to) cure such failure at the expense of Licensee, and the amount incurred by Licensor in connection with such cure shall be payable by Licensee to Licensor on demand.

(b) Except as provided in Section 2 and in the immediately following sentence, in the event of a breach by Licensee hereunder, Licensor shall be limited to an action at law for damages. Notwithstanding the foregoing, in the event that Licensee holds over after the expiration of the Term, (i) Licensee shall be obligated to pay Licensor an amount equal to $500 per diem for each day of the holdover term and (ii) Licensor shall have all of the rights and remedies available to it at law or in equity, including, without limitation, the right to exercise self help and to dispossess Licensee of the License Premises, change the locks on the License Premises, deny Licensee access to the License Premises and take possession of or dispose of any property at the License Premises, all at the cost and expense of Licensee. Except as provided in Section 2, in no event shall Licensor have the right to enjoin Licensee's performance of the Uses.

10. **INDEMNITY.** (a) Licensee shall indemnify and hold Licensor harmless from and against any and all claims, actions, liabilities, losses, damages (including, without limitation, consequential and special damages), costs and expenses (including, without limitation, court costs and reasonable attorneys' fees and expenses) arising from or in connection with (i) the use or occupancy by Licensee of the License Premises during the term hereof, or (ii) any work or thing done or any condition created by or any other act or omission of Licensee or its employees, agents, contractors, visitors or licensees, in the License Premises or any other part of the Calverton Site in connection with Licensee's use of the License Premises, or (iii) Licensee's failure to perform any of the obligations imposed on it hereunder.

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

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

12. **NOTICES.** Any notices to be given under this License shall be in writing and shall be sent by registered or certified mail, return receipt requested. If such notice is directed to Licensee, it shall be addressed to Licensee at 10 Canal Street, Center Moriches, NY 11934, Attention: Thomas Tebbens Sr., and if such notice is directed to Licensor, it shall be addressed to Licensor at 200 Howell Avenue, Riverhead, New York 11901, Attention: Andrea Lohneiss. Either party may, by notice in writing, direct that future notices be sent to a different address and to the attention of such other people as either Licensor or Licensee shall designate.

13. **HAZARDOUS SUBSTANCES.** (a) Generally. Licensee shall not generate, store, manufacture, refine, transport, treat, dispose of, or otherwise permit to be present on or about the License Premises, any Hazardous Substances (other than Hazardous Substances (x) customarily used in events such as the Event and (y) used, stored, transported, and disposed of in strict compliance with applicable law). As used herein, the term "Hazardous Substances" shall mean any flammables, explosives, radioactive materials, hazardous wastes, hazardous and toxic substances or related materials, asbestos or any materials containing asbestos, or any other hazardous or toxic substance or material as defined by any Federal, State or local environmental law, rule or regulation, including, without limitation, the Resource Conservation and Recovery Act of 1976, as amended from time to time, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended from time to time, the Toxic Substances Control Act, as amended from time to time, the Hazardous Materials Transportation Act, as amended from time to time, and the

regulations adopted and the publications promulgated pursuant to each of the foregoing.

b. In addition to the foregoing, (A) Licensee hereby agrees to comply at all times with and to cause the License Premises to be in compliance at all times with the Suffolk County Health Department Regulations and (B) Licensee shall file for a fire prevention permit and hazardous material permit from the Town of Riverhead.

c. Indemnification. Licensee shall indemnify and hold harmless Licensor from and against any and all liabilities, damages, claims, losses, penalties, judgments, causes of action, costs and expenses (including, without limitation, court costs and the reasonable fees and expenses of counsel) which may be incurred by Licensor directly arising out of any breach by Licensee of the obligations imposed upon it under this Section 13. The foregoing indemnity shall survive the expiration or sooner termination of this License.

14. **CROSS-DEFAULT.** To the extent that the Licensor and the Licensee are parties to any other similar agreements, any default under such similar agreements shall be deemed to be a default under this License, and any default under such similar agreements.

15. **MISCELLANEOUS**. (a) Merger. All prior understandings and agreements between the parties with respect to the subject matter hereof are merged within this License, which alone fully and completely sets forth the understanding of the parties with respect to the subject matter hereof. This License may not be changed or terminated orally or in any manner other than by a writing signed by the party against whom enforcement of the change or termination is sought.

(b) Successors and Assigns. This License shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and permitted assigns. The term "Licensor," as used in this License, shall mean only the owner from time to time of the License Premises, so that in the event of any transfer or assignment of the License Premises, the transferor or assignor shall be and hereby is entirely freed and relieved of all covenants, obligations and liability of Licensor under this License, and it shall be deemed, without further agreement, that the transferee or assignee has assumed and agreed to perform and observe all obligations of Licensor under this License during the period that such transferee or assignee is the owner of the interest of License Premises.

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

(d) Neither Licensor nor any tenant, nor other party now or hereafter having an interest in the Calverton Site, shall have any right of action based upon invasion of privacy, publicity, defamation, or other civil rights, in connection with the exercise of the permission and/or rights herein granted. Notwithstanding the foregoing, Licensee

shall not use the name "Calverton" or "Riverhead", or any signage containing such names, and shall not use the names, pictures, or likenesses of any officials or employees of the Town of Riverhead in connection with or production of the "use" hereunder without the prior consent of Licensor, which consent shall not be unreasonably withheld or delayed.

LICENSOR:

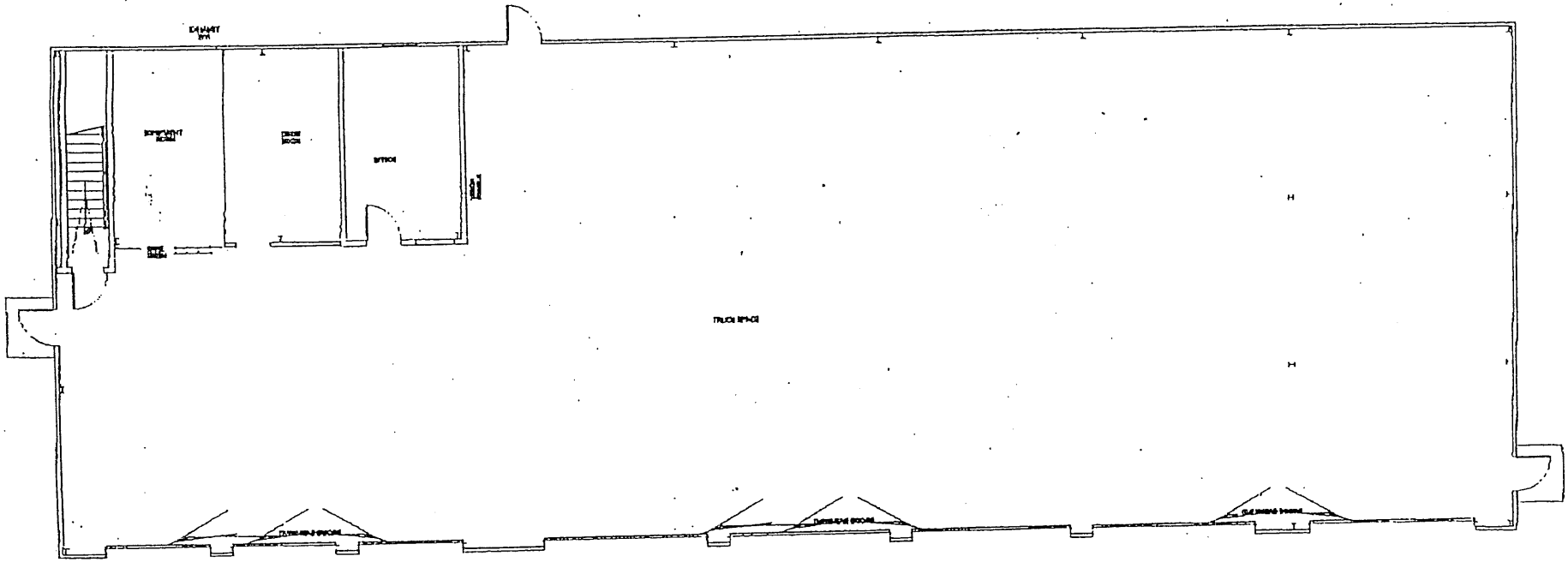
THE TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

By:_____
Name:
Title:

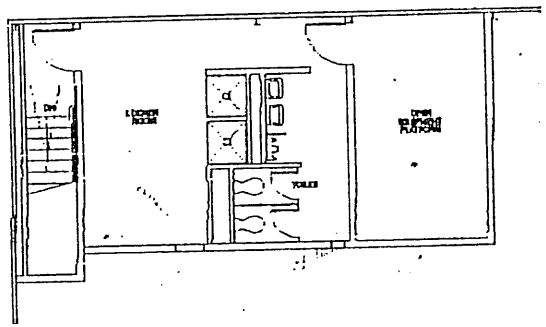
LICENSEE:

THE ALFRED T TEBBENS STEEL CORP.

By:_____
Name:
Title:



PLAN AT FIRST FLOOR



PLAN AT MEZZANINE

BLDG 07-04

Adopted

9/19/00

Town of Riverhead Community Development Agency

Resolution # 27

Authorizes Chairman to Execute License Agreement with Top 20 Lacrosse Camps

Member COUNCILMAN CARDINALE offered the following resolution,

which was seconded by Member COUNCILMAN LULL:

WHEREAS, Top 20 Lacrosse Camps has requested use of a portion of the Calverton Enterprise Park on consecutive Sundays from September 10, 2000 through November 12, 2000 from 8 a.m. to 1 p.m. to conduct low-cost lacrosse camps for youths; and

WHEREAS, the Town of Riverhead will receive rental income in the amount of $500 for 10 days use of the facility; and

WHEREAS, the Town Board finds that this use has a positive influence on our youth.

THEREFORE, BE IT RESOLVED, that CDA hereby authorizes the Chairman to execute a license agreement in the form attached hereto with Top 20 Lacrosse Camps, subject to the provision of an insurance certificate demonstrating coverages acceptable to the Town Attorney.

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

The Vote:

Member Densieski	Yes
Member Cardinale	Yes
Member Kent	Yes
Member Lull	Yes
Chairman Kozakiewicz	Yes

LICENSE

LICENSE ("License"), made as of the ___day of June 2000, by and between **THE TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY**, having an address at 200 Howell Avenue, Riverhead, New York 11901, Attention: Andrea Lohneiss ("Licensor"), and **Top 20 Lacrosse Camps**, a corporation having an address at PO Box 575, Wading River, NY 11792, Attention: Thomas Rotanz, Director ("Licensee").

WITNESSETH:

WHEREAS, Licensor desires to license to Licensee, and Licensee desires to license from Licensor, the right to use a portion of the former picnic grounds at (Exhibit A) the Calverton Site on consecutive Sundays from September 10, 2000 through November 12, 2000 (the "License Premises") located at the property formerly known as the Naval Weapons Industrial Reserve Plant, Department of Defense Number 466, Calverton, New York (the "Calverton Site"), upon all of the terms and conditions hereinafter set forth;

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

1. **LICENSING**. Upon the terms and conditions hereinafter set forth, Licensor hereby licenses to Licensee, and Licensee hereby Licenses from Licensor, the right to use the License Premises.

2. **TERM OF LICENSE**. The term of this License (the "Term") shall commence on September 10, 2000 (the "License Commencement Date") and shall end on November 12, 2000 (the "Expiration Date") or on such earlier date upon which this License shall expire or be canceled or terminated pursuant to any of the conditions or covenants of this License or pursuant to law. Notwithstanding anything to the contrary contained in this License, Licensor shall have the right, exercisable in its sole discretion, to terminate this License effective immediately upon written notice from Licensor to Licensee, if (i) Licensee shall default under or be in breach, of any of its obligations, representations or warranties hereunder and (ii) such default continues for (x) five days after written notice from Licensor with respect to monetary defaults or (y) thirty days after written notice from Licensor with respect to nonmonetary defaults. If Licensor shall so terminate this License, from and after the termination date neither party hereto shall have any rights or obligations hereunder other than those that, pursuant to the express terms hereof, survive termination of this License; provided that Licensee shall remain liable to Licensor for any default or breach by Licensee that occurred prior to such termination. Furthermore, this License is not, and shall not be construed to be, a lease or a sublease and nothing contained in this License shall be construed as granting to Licensee any interest or right as tenant or subtenant or any other interest or right other than the interest of a Licensee in accordance with the terms and provisions hereof.

3. **CONDITION OF LICENSE PREMISES**. Licensee agrees to accept the License Premises "as is," and Licensor shall have no obligation to perform any work or repairs on behalf of Licensee. Licensee acknowledges that no representations with respect to the

condition of the License Premises, or with respect to any improvements or fixtures thereon or attached thereto, have been made to it. Licensee shall provide at its own expense portable bathrooms at or near the License Premises for use during the Term. Further Licensee shall be responsible for leveling and/or mowing of the grounds. Both during and upon completion of the lacrosse camps Licensee shall be responsible for removal of trash generated during said use.

4. **LICENSE FEE**. Simultaneously with the execution hereof, Licensee shall pay to Licensor a fee in the amount of $500.00 for 10 days use of the premises per week from 8 a.m. to 1 p.m. (the "Fee).

Licensee covenants and agrees that (i) in no event shall Licensee permit any motor vehicle to (1) enter the Calverton Site other than through the Access Point (Exhibit A) or (2) park anywhere other than the Parking Area and (ii) a representative of Licensee shall be present at the Access Point at all times during the Event.

5. **PAYMENT**. The Fee and all other charges, costs and expenses payable by Licensee under this License shall be paid by certified check made payable to the order of The Town of Riverhead Community Development Agency and delivered to Andrea Lohneiss at the address provided for Licensor in the preamble to this License, without notice or demand therefor (except to the extent otherwise expressly provided herein) and without any deduction, credit, set-off, counterclaim or abatement whatsoever. In every case in which Licensee is required to pay to Licensor a sum of money and said sum (or any portion thereof) is not paid when due, interest at an annual rate of 12% shall be payable on such sum (or so much thereof as shall be unpaid) from the date said sum becomes due until the date the unpaid amount is paid.

6. **USE; COVENANTS**. (a) Licensee shall use the License Premises only for the purpose of conducting youth lacrosse camps from September 10, 2000 through November 12, 2000, to prepare the License Premises for the same and to clean and restore the License Premises, in each case, in accordance with, and subject to, the terms and provisions of this License.

(b) Licensee, at its own cost and expense, shall protect, maintain, and keep in good order, the License Premises.

(c) No additions to, or alterations of, the License Premises shall be made without the prior consent of Licensor. Upon revocation or surrender of this License, to the extent directed by Licensor, Licensee shall remove all alterations, additions, betterments and improvements made, or installed, and restore the License Premises to the same, or as good condition as existed on the date of entry under this License, reasonable wear and tear excepted.

(d) Licensee shall be liable for any loss of, or damage to, the Calverton Site incurred in connection with the Event and shall make such restoration or repair, or monetary compensation as may be directed by Licensor. Licensee shall maintain, at a minimum, the types and amounts of insurance evidenced by the certificates attached hereto as Exhibit A. Licensee agrees that not less than thirty (30) days prior to the expiration of any insurance required by this License, it will deliver to Licensor's local representative a certificate of insurance or a certified copy of each renewal policy to cover the same risks. Each policy of insurance required hereunder shall name

Licensor and Grubb & Ellis Management Services, Inc. as additional insureds. In the event that any item or part of the Calverton Site shall require repair, rebuilding or replacement resulting from loss or damage, the risk of which is assumed under this Section 6, Licensee shall promptly give notice thereof to Licensor and shall, upon demand, either compensate Licensor for such loss or damage, or rebuild, replace or repair the item or items of the Calverton Site so lost or damaged, as Licensor may elect. In the event Licensee shall not have been required to effect such repair, rebuilding, or replacement, and the insurance proceeds allocable to the loss or damage which has created the need for such repair, rebuilding or replacement have been paid to Licensee, Licensee shall promptly refund to Licensor the amount of such proceeds.

(e) Without limiting the generality of any other provision of this Agreement, Licensee hereby covenants and agrees that (i) at all times during the Term, adequate private supervision shall be present at the Calverton Site to protect persons and property at the Calverton Site, (ii) only the gate at the north end of the Calverton Site (the "Access Point") shall be used for access, (iii) Licensee shall prohibit any person from smoking, or carrying, using or drinking any alcoholic beverage or illegal substance, at the Calverton Site, (iv) Licensee shall provide supervision at the access point and for keep participants in the designated area and (v) Licensee shall provide ample vehicles, personnel, equipment and containers to clean the License Premises and insure that the same is restored to as good condition, subject to reasonable wear and tear, on the Expiration Date as it was in on the License Commencement Date.

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

7. **ASSIGNMENT AND LICENSING**. Notwithstanding anything to the contrary contained in this License, Licensee shall not assign this License, License the License Premises in whole or in part or permit Licensee's interest in this License to be vested in any party other than Licensee by operation of law or otherwise. A transfer of more than fifty (50%) percent at any one time or, in the aggregate from time to time, of the stock, partnership or other ownership interests in Licensee, direct or indirectly, shall be deemed to be an assignment of this License.

8. **LICENSOR'S REMEDIES**. (a) If Licensee fails to perform any of its obligations hereunder in accordance with the terms hereof, then, after reasonable notice to Licensee not to exceed thirty (30) days, and an opportunity for Licensee to cure such failure, (except in case of emergency) Licensor may (but shall not be obligated to) cure such failure at the expense of Licensee, and the amount incurred by Licensor in connection with such cure shall be payable by Licensee to Licensor on demand.

(b) Except as provided in Paragraph 2 and in the immediately following sentence, in the event of a breach by Licensee hereunder, Licensor shall be limited to an action at law for damages. Notwithstanding the foregoing, in the event that Licensee holds over after the expiration of the Term, (i) Licensee shall be obligated to pay Licensor an amount equal to $250 per diem for each day of the holdover term and (ii) Licensor shall have all of the rights and remedies available to it at law or in equity, including, without limitation, the right to exercise self help and to dispossess Licensee of the License Premises, change the locks on the License Premises, deny Licensee access to the License Premises and take possession of or dispose of any property at the License Premises, all at the cost and expense of Licensee. Except as provided in Paragraph 2, in no event shall Licensor have the right to enjoin the development, production, distribution or exploitation of the event hereunder.

9. **INDEMNITY**. (a) Licensee shall indemnify and hold Licensor harmless from and against any and all claims, actions, liabilities, losses, damages (including, without limitation, consequential and special damages), costs and expenses (including, without limitation, court costs and reasonable attorneys' fees and expenses) arising from or in connection with (i) the use or occupancy by Licensee of the License Premises during the term hereof, or (ii) any work or thing done or any condition created by or any other act or omission of Licensee or its employees, agents, contractors, visitors or licensees, in the License Premises or any other part of the Calverton Site in connection with Licensee's use of the License Premises, or (iii) Licensee's failure to perform any of the obligations imposed on it hereunder.

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

(c) This indemnification on the part of the Licensee shall include the Town of Riverhead, the Town of Riverhead Community Development Agency, Grubb & Ellis and all and any of its agents.

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

11. **NOTICES**. Any notices to be given under this License shall be in writing and shall be sent by registered or certified mail, return receipt requested. If such notice is directed to Licensee, it shall be addressed to Licensee at PO Box 575, Wading River, NY 11792, Attention: Thomas Rotanz, and if such notice is directed to Licensor, it shall be addressed to Licensor at 200 Howell Avenue, Riverhead, New York 11901, Attention: Andrea Lohneiss. Either party may, by notice in writing, direct that future notices be sent to a different address and to the attention of such other people as either Licensor or Licensee shall designate.

12. **HAZARDOUS SUBSTANCES**. (a) Generally. Licensee shall not generate, store, manufacture, refine, transport, treat, dispose of, or otherwise permit to be present on or

about the License Premises, any Hazardous Substances (other than Hazardous Substances (x) customarily used in events such as the Event and (y) used, stored, transported, and disposed of in strict compliance with applicable law). As used herein, the term "Hazardous Substances" shall mean any flammables, explosives, radioactive materials, hazardous wastes, hazardous and toxic substances or related materials, asbestos or any materials containing asbestos, or any other hazardous or toxic substance or material as defined by any Federal, State or local environmental law, rule or regulation, including, without limitation, the Resource Conservation and Recovery Act of 1976, as amended from time to time, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended from time to time, the Toxic Substances Control Act, as amended from time to time, the Hazardous Materials Transportation Act, as amended from time to time, and the regulations adopted and the publications promulgated pursuant to each of the foregoing.

(b) Indemnification. Licensee shall indemnify and hold harmless Licensor from and against any and all liabilities, damages, claims, losses, penalties, judgments, causes of action, costs and expenses (including, without limitation, court costs and the reasonable fees and expenses of counsel) which may be incurred by Licensor directly arising out of any breach by Licensee of the obligations imposed upon it under this Section 12. The foregoing indemnity shall survive the expiration or sooner termination of this License.

13. **MISCELLANEOUS**. (a) Merger. All prior understandings and agreements between the parties with respect to the subject matter hereof are merged within this License, which alone fully and completely sets forth the understanding of the parties with respect to the subject matter hereof. This License may not be changed or terminated orally or in any manner other than by a writing signed by the party against whom enforcement of the change or termination is sought.

(b) Successors and Assigns. This License shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and permitted assigns. The term "Licensor," as used in this License, shall mean only the owner from time to time of the License Premises, so that in the event of any transfer or assignment of the License Premises, the transferor or assignor shall be and hereby is entirely freed and relieved of all covenants, obligations and liability of Licensor under this License, and it shall be deemed, without further agreement, that the transferee or assignee has assumed and agreed to perform and observe all obligations of Licensor under this License during the period that such transferee or assignee is the owner of the interest of License Premises.

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

(d) Licensee shall own all rights of every kind associated with the lacrosse camps conducted hereunder and any and all photography and/or recordings made hereunder, including the right to utilize the same in connection with the lacrosse camps and in connection with any other productions, in any manner whatsoever, whether now known or hereafter devised in perpetuity and throughout the universe.

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

IN WITNESS WHEREOF, Licensor and Licensee do hereby execute this License as of the date and year first above written.

LICENSOR:

THE TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

By:_____
Name:
Title:

LICENSEE:

Top 20 Lacrosse Camps

By:_____
Name:
Title:

Exhibit A

9/19/00

Adopted

TOWN OF RIVERHEAD

Resolution # 829

APPROVES APPLICATION OF HELEN'S GREENHOUSE (HAYRIDES)

COUNCILMAN CARDINALE offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, Helen J. McKay has submitted an application for the purpose of conducting hayrides to be held at Union Avenue, Aquebogue, New York between the hours of 9:00 a.m. and 6:00 p.m. on the following dates:

September 23rd & 24th
September 30th & October 1st
October 7th, 8th & 9th
October 14th & 15th
October 21st & 22nd
October 28th & 29th; 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 Helen J. McKay for the purpose of conducting hayrides to be held at Union Avenue, Aquebogue, New York between the hours of 9:00 a.m. and 6:00 p.m. on the aforementioned dates and times is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Helen's Greenhouse, Attn: Helen J. McKay, Union Avenue, Aquebogue, New York, 11931 and the Riverhead Police Department.

THE VOTE
Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No
Kent ✓ Yes ___ NoUll ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No
THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY ADOPTED

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

TOWN OF RIVERHEAD

Resolution # 830

Adopted

APPOINTS THE LAW FIRM OF SMITH, FINKELSTEIN, LUNDBERG, ISLER & YAKABOSKI, LLP. TO COMMENCE CONDEMNATION PROCEEDINGS IN CONNECTION WITH VARIOUS PROPERTIES LOCATED WITHIN THE RAILROAD STREET REVITALIZATION PROJECT

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

BE IT RESOLVED, that the Law firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP. is hereby retained to commence condemnation proceedings on various properties located in the Railroad Street Revitalization Project as follows:

204 Court Street (Tuccio)
0600-128-03-011

210 Court Street (Tuccio)
0600-128-03-010

216 Court Street (Leanza)
0600-128-03-009

201 Rail Road Street
(Kevin & Daniel Conlan)
0600-128-03-005

207 Rail Road Street (MRH Realty)
0600-128-03-006

217 Rail Road Street (Kevin Conlon)
0600-128-03-004

BE IT FURTHER RESOLVED, that the Town hereby retains the services of Joseph A. Ingegno, Land Surveyor, to prepare the requisite taking maps and legal descriptions of the above parcels in accordance with his written proposal of September 11, 2000.

BE IT FURTHER RESOLVED, that the Town hereby retains the services of H2M Group to prepare Phase I Environmental Site Assessments of these six (6) parcels in accordance with its written proposal of September 14, 2000.

BE IF FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.O.

Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; the Office of Accounting, the office of the Town Attorney, and Andrea Lohneiss, Director of the Community Development Agency.

THE VOTE

Densleeld ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 831

AUTHORIZES FIRE MARSHAL TO USE TOWN VEHICLE AND PARTICIPATE IN WILDFIRE CAUSE AND ORIGIN INVESTIGATIONS

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN KENT

WHEREAS, Fire Marshal Bruce E. Johnson has completed the Wildfire Origin and Cause Determination Course and practical knowledge and continuing education are important criteria when dealing with fire investigation and court room testimony; and

WHEREAS, New York State Department of Environmental Conservation Forrest Rangers are using prescribed burn programs where the heat source and area of origin are know factors; and

WHEREAS, The Pine Barrens Wildfire Task Force and Law Enforcement Council have formed an investigative team to mobilize in response to brush fires within the Pine Barrens or adjacent areas for the purpose of wildfire cause and origin determination and enforcement of the existing laws that prohibit the ignition of wildfires without a permit;

NOW THEREFORE BE IT RESOLVED; that Fire Marshal Bruce E. Johnson is hereby authorized to participate in and use Town of Riverhead Fire Marshal vehicle within the County of Suffolk to observe prescribed burn programs and/or investigate wildfires during the course of normal working hours for the purpose of cause and origin determination of brush fires in support of the activities of the Pine Barrens Wildfire Task Force and Law Enforcement Council;

THE VOTE

Densleski ✓ Yes ___ No Cardinale ✓ Yes ___ No
Kent ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY ADOPTED

September 19, 2000

Adopted

Town of Riverhead

Resolution # 832

AUTHORIZES ATTENDANCE OF THREE POLICE OFFICERS AT CONFERENCE

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

WHEREAS, Police Chief Grattan has requested authorization from the Riverhead Town Board for the attendance of three Police Officers at the NYSPIN Advisory Committee Meeting;

AND WHEREAS, the Training Meeting will be held in Albany, New York, on November 2, 2000.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of three Police Officers at the aforementioned conference; and

BE IT FURTHER RESOLVED that the Town Board authorizes reimbursement of expenses 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 Grattan and the Office of Accounting.

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

Adopted

September 19, 2000

Town of Riverhead

Resolution # 833

AUTHORIZES ATTENDANCE OF TWO DETECTIVES AT TRAINING SEMINAR

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

WHEREAS, Police Chief Grattan has requested authorization from the Riverhead Town Board for the attendance of two Detectives at a Training Seminar entitled "Crime Scene Photography;

AND WHEREAS, the Training Seminar will be held at the Jersey City Police Department, Jersey City, New Jersey, on November 1st, 2nd, and 3rd, 2000.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of two Detectives at the aforementioned training seminar; and

BE IT FURTHER RESOLVED that the Town Board authorizes reimbursement of expenses 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 Grattan and the Office of Accounting.

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozaldewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

September 19, 2000

Adopted

Town of Riverhead

Resolution # 834

AUTHORIZES ATTENDANCE OF TWO DETECTIVES AT TRAINING SEMINAR

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

WHEREAS, Police Chief Grattan has requested authorization from the Riverhead Town Board for the attendance of two Detectives at a Training Seminar entitled "Lifting Latent Prints;

AND WHEREAS, the Training Seminar will be held at the Jersey City Police Department, Jersey City, New Jersey, on December 14th and 15th, 2000.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of two Detectives at the aforementioned training seminar; and

BE IT FURTHER RESOLVED that the Town Board authorizes reimbursement of expenses 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 Grattan and the Office of Accounting.

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

9/19/00

Town of Riverhead

Adopted

Resolution # 835

RESOLUTION TO REQUEST SUFFOLK COUNTY GREENWAYS FUNDING FOR LAND ACQUISITION TO BE UTILIZED AS RECREATION

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

WHEREAS, the Town Board of the Town of Riverhead has an opportunity to enhance its recreational facilities through the acquisition by Suffolk County of properties identified as SCTM #0600-125-1-5.2 and 0600-125-1-10.2 on Columbus Avenue totaling approximately 13.71 acres; and

WHEREAS, the Suffolk County Greenways Program enables Suffolk County to fund one hundred per cent (100%) of the costs associated with the purchase of land from a willing seller where there shall be an agreement by a municipality or local organization providing for long-term management of the property and the installation and programming of recreational facilities thereon; and

WHEREAS, to initiate County acquisition of the subject properties under the active recreation component of the Greenways Program, the Town Board of the Town of Riverhead must resolve its support and long-term assurance for continued recreational site use.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead urges Suffolk County acquisition of these parcels identified as SCTM #0600-125-1-5.2 and 0600-125-1-10.2 for the future active recreation use under the Greenways Program; and

BE IT FURTHER RESOLVED, that upon acquisition of the land by Suffolk County, the Town Board hereby authorizes the Town Supervisor to enter into an agreement to establish new active use facilities, program and manage the land for active County recreational purposes; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Robert Gaffney, Suffolk County Executive; Paul Tonna, Presiding Officer of the Suffolk County Legislature, Michael J. Caracciolo, Suffolk County Legislator of the First District, Steve Jones, Director of the Suffolk County Department of Planning, and Peter J. Scully, Commissioner of the Suffolk County Department of Parks.

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

9/19/00

Town of Riverhead

Adopted

Resolution # 836

Authorizes the Execution of a Contract for New York State Assistance from the Household Hazardous Waste (HHW) State Assistance Program

COUNCILMAN CARDINALE offered the following resolution,

which was seconded by COUNCILMAN KENT:

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

WHEREAS, the Town of Riverhead Community Development Department has prepared an application for funding through the New York State Household Hazardous Waste Assistance Program; and

WHEREAS, the Town of Riverhead has been awarded $22,180 towards the collection of household hazardous waste (50% of the town's annual cost).

THEREFORE, BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to sign a State Assistance Contract with the New York State Department of Environmental Conservation (DEC).

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

THE VOTE

Densleald ✓ Yes ___ No Cardinale ✓ Yes ___ No
Kent ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No
THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY ADOPTED

September 19th. 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 837

APPROVES SITE PLAN OF BUDGET BEEPERS

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN CARDINALE:

WHEREAS, a site plan and elevations were submitted by Mac Communications, for Facade and Interior Alterations, located at 59 East Main Street, Riverhead, NY 11901, New York, known and designated as Suffolk County Tax Map Number 0600-128-06-75; and

WHEREAS, the Planning Department has reviewed the site plan dated July 5th, 2000, as prepared by James V. DeLucca, R.A., and elevations dated July 5th, 2000, as prepared by James V. Delucca, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 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 Mac Communications, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to bePursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Mac Communications, for Facade and Interior Alterations, located at 59 East Main Street, Riverhead, NY 11901, New York, site plan dated July 5th, 2000, as prepared by James V. DeLucca, R.A., and elevations dated July 5th, 2000, as prepared by James V. Delucca, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

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

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

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

5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the. enclosure of dumpsters, and agrees to abide by same;

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code;**

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

9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Mac Communications hereby authorizes and consents to the Town of

Riverhead to enter premises at 59 East Main Street, Riverhead, NY 11901, 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 Mac Communications, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ NoUll ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

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

_____

Mac Communications

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

September 19, 2000

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 838

CLASSIFIES ACTION AND DECLARES LEAD AGENCY ON CHANGE OF ZONE AND SPECIAL PERMIT OF SUNKEN PONDS ESTATES II REFERS PETITION TO PLANNING BOARD

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

WHEREAS, the Riverhead Town Board is in receipt of a change of zone petition from Robert Havasy to change the zoning of 23 acres of land currently zoned Agriculture 'A' and Residence 'C' to Residence 'RC' and of an accompanying special permit petition to utilize the land along with approximately 36 acres already in that use district for the development of a 192 unit retirement community complex said lands being known specifically as SCTM No. 0600-64-2-p/o 2 & p/o 7.43, and

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

WHEREAS, the Riverhead Planning Department has reviewed these materials and recommended the petition be considered an Unlisted Action for which coordinated review is optional and in this case unnecessary, and

WHEREAS, the Planning Department, by preparation and evaluation of its SEQR staff report, has further recommended that the action will not have a significant effect upon the environment in recognition of existing agency authority, and

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

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declare itself to be the Lead Agency in the change of zone and special permit petitions of Sunken Pond Estates which is considered to be an Unlisted Action, and

BE IT FURTHER

RESOLVED, that the Town Clerk be directed to refer the petition to the Riverhead Planning Board for their review and recommendation, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department and the applicant.

THE VOTE

Densleeld ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ NoUll ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

STAFF REPORT (SEQR)

DATE: September 11, 2000

INVOLVED AGENCY: Town Board

APPROVAL TYPE: Zone Change & Special Permit

SEQR: Classification - Unlisted
Significance – Pending (negative declaration recommended)

Name of Action: Sunken Ponds Estates II

Project: Applicant proposes to change the zoning of 23 acres of land currently zoned Agriculture 'A' and Residence 'C' to Residence 'RC' and utilize the property along with approximately 36 acres already in that zoning for the development of a 192 unit retirement community complex which is a specially permitted use within the district.

Location: Northerly terminus of Old Farm Road, Riverhead

S.C.T.M.: 0600-64-2-p/o 2 & p/o 7.43

Special Area Concerns: (Critical Environmental Area, Wetlands, Cultural-Archeological Resources) – No CEA involvement. No DEC wetlands on site. Chapter 107 areas 3913, 14 & 15 in area which are not wetlands. No overt cultural archeological resources. Lands lie in the Riverhead fire district, the scavenger waste and partly within the water district. Groundwater Management Zone IVA.

SEQR Classification/Lead Agency Status: Unlisted per Part 617. Coordinated review optional and unnecessary. Town Board should assume lead agency.

Site Visit: (Description)

None.

STAFF REPORT (SEQR) - PAGE 2

Current Zoning: Agriculture 'A' and Residence 'C'

File Correspondence:

- Copy of Town Board resolution #710 adopted 8/17/99 approving the special permit of Sunken Pond Estates for a 192 unit senior citizen condominium complex upon the 38 (approx.) acre area of tax lot 82-4-209.4 but stipulating the resultant site plan approval be in three sections with section 3's approval requiring the acquisition of 23 acres of contiguous land.
- Copy of Town Board resolution #1237 adopted 12/30/99 approving the site plan of Sunken Pond Estates with the same condition (as opposed to the transfer of an equivalent number of development rights).
- Copy of SEQR analysis on minor subdivision of Cherry Creek South (Jurgens/Sasso) which conveyances effected the above direction (as well as another purpose).

Plans Provided:

Zone Change: (1) 200' & 500' Radius Map (sheet 2 of 3), Senior Citizen Multi-Family Dwelling Complex, Sunken Pond Estates, by Young & Young, dated 3/30/00, revised 4/26/00.
(2) Senior Citizen Multi-Family Dwelling Complex, Sunken Pond Estates, Conceptual Site Plan (sheet 1 of 3) by Howard Young, dated 12/15/99, last revised 4/26/00.
Special Permit: (1) Sheet 1 of 3 of above Radius Map (2) identical conceptual site plan.

STAFF REPORT (SEQR) - PAGE 3

Part I (EAF): Notes on applicant provided data – Full EAF by Robert Havasy, dated 5/23/00
Description of Action: The portion of the project to locate on the subject 23 acres (phase 3) appears to be 14 buildings (78 units of the 192 approved).

A. Site Description: (The EAF data is adjusted so to make it specific to the instant 23 acres).
2. By all information available, the 23 acres effected by the zone change and special permit is approximately 16 acres forest and 7 acres meadow (abandoned agriculture).
3. Sheet 28 of the County Survey indicates nearly the entire site to be HaA, with some RdB and a small portion (possibly) of SdA. The first two are class I and II (respectively), prime ag soils. These soils pose no severe developmental constraints. The Scio group could feature seasonal high groundwater (1½ - 2'). The others have rapid permeability which could pose a sanitary threat to nearby waterbodies or shallow wells (there are none).
8. As above, groundwater may be closer in the vicinity of the SdA soils. Only a small portion, at the northerly extreme may be on site.
16. There are no waterbodies on "the site" as this review uses the term.
17. Tax lot 7.43 (part of which contributes part of the site) is within the water district.

B. Project Description: The underlying project here is the 192 unit retirement community stemming from the initial petition of Sunken Ponds (originally Suffolk Old Farms) which was to locate on tax lot 82-4-209.4. The project, by agency stipulation, will now locate on both that 38 (approx.) acre parcel and the subject 23 (approx.) acre site. The long term use impacts (trips, solid wastes, sanitary flow) are unchanged. Only the development impacts specific to the 23 acres are new.
4. About 16 acres of the site are forested of which (it appears) perhaps 9-10 acres will be cleared.
5. In a Township largely cleared for agriculture, remaining forested areas have some local importance.
7. The underlying project (as above) was stipulated to be phased with this site being the third and final.
23. Only a portion of this total water use is connected with the new site. The figure in all likelihood is a computation of sanitary flow with no account for other consumptive uses (landscaping upkeep primarily). That use will increase by the addition of new land but certainly well below the SEQR large and important threshold of 20,000 gpd.
25. A new site plan approval will be needed from the Town Board as well. Resolution #1237 of 12/30/99 was specific to phases 1 and 2 of 114 units.

C. Planning & Zoning:
2. Current zoning of the site is Residence 'C' and Agriculture 'A' (proposed Residence 'RC').
6. The award of the special permit and site plan (in that they directed the project be spread out to include these lands), suggests the zone change and special permit desired on this site meets agency planning aims.
7. No Natural Resource Protection zoning in this area though there is existing Residence 'RC'.
10. Water District extension called for.

STAFF REPORT (SEQR) - PAGE 4

Part II (EAF): Potentially large impacts

I. Land: For possible construction on lands with depth to groundwater of less than 3 feet.
II. Plants & Animals: For the possible removal of more than 10 acres of locally important vegetation.
III. Agricultural Land & Growth & Community Character: For the conversion of over 10 acres of agricultural soils and potential divergence with the GEIS on their preservation.

STAFF REPORT (SEQR) - PAGE 5

Part III (EAF): Impact Evaluation/Significance Determination

The County soils map indicates that there could be a soil group on site characterized by seasonal high groundwater within 1½ to 2 feet which is under the 3 foot large and important SEQR threshold. Such a condition could effect structural integrity or prevent the proper function of septic or drainage improvements located there.

This mention is made to merely point the potential out. The agency does not believe the matter to be significant in view of the limited area of the possible constraint and the ability to discover its presence and extent by the site plan process and the approval of County Health. A simple test hole at the northern most area of the land in question (northwest corner) can possibly dispel this issue or reveal if construction needs to be relocated and drainage and sanitary leaching fields can be placed accordingly. County Health will insure sufficient depth to groundwater for the latter improvements in any case.

The 23 acre site in question is mostly forested although there is some meadow as well. A rough estimate is 16 acres of the former coverage and that 9-10 acres will be lost to the development that ultimately results from the change of zone and special permit. In a Township largely cleared for agriculture, remaining forested areas have some local importance and the loss could exceed the 10 acre potentially large and important threshold.

The threshold may or may not actually be exceeded here but the loss of the subject cover type is a sufficiently important topic to see it reduced to the maximum extent practical. A EIS isn't necessary to that end or appropriate in the view of this office. It is more sensible to invoke clearing limits. In the case of the neighboring golf course, (locating on similar forested lands) a 65% limit was imposed as it was that called out by the Town's Planned Recreational District for recreational uses on lands within the Core and Compatible Growth Area of the Grumman facility. The limit is viewed as a science based reasonable preservation target for that forest type and is appropriate here as well. In this case (residential use) a 53% clearing of "the site" (as this review defines it) should be the limit.

The 23 acre site is also nearly all class I & II (prime agricultural) soils whose conversion by the development exceeds the 10 acre large and important threshold and could be at odds with the GEIS on the preservation of these soils in the Town.

This issue was also examined with the golf course previously mentioned. Notwithstanding the considerably large area of prime soils converted by that action, the site had a history of only limited ag use (witnessed by its largely forested coverage) and the Town Board concluded the land was not an important preservation target. The Planning Board was the lead agency on the GEIS and is involved for recommendations on the zone change and special permit. A similar assessment is the consequence of that review and negates any further SEQR analysis.

STAFF REPORT (SEQR) - PAGE 6

SIGNIFICANCE

The action is Unlisted and one whose size and scope does not carry the presumption of significance. The impacts associated with the agency ordered expansion of the original project upon this site support that belief. Since the agency has directed the instant petitions, there is no attempt at segmentation. All identified impacts are suitable topics for mitigation by involved agency authority. A negative declaration on the zone change and special permit is recommended. Notice will be generated upon the review and recommendations of the Planning Board and the subsequent agreement of the Town Board to this position. It shall not require filing. A resolution to classify the action, declare lead agency and initiate the above referral is provided.

September 19th, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 839

APPROVES TEMPORARY SIGN PERMIT OF THE LINKS AT WADING RIVER

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

WHEREAS, a temporary sign permit application and sketch were submitted by Bruce Barnet for property located at the Wading River Manorville Road, Wading River, and

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

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

THERFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application submitted by Bruce Barnet, WR Development, LLC. dated August 16, 2000 and

BE IT FURTHER

RESOLVED, that said temporary sign shall be amended to exclude the listing of the telephone number thereon and shall be erected for a period not to exceed six (6) months from the date hereof or the issuance of the permit for the permanent sign, whichever first occurs, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Bruce Barnet, WR Development, LLC, 734 Franklin Avenue, Garden City, New York 11530 and the Building Department and Planning Department.

THE VOTE

Denaieski ✓ Yes ___ No Cardinale ✓ Yes ___ No
Kent ✓ Yes ___ NoUll ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No
THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY ADOPTED

Adopted

September 19th, 2000

TOWN OF RIVERHEAD

Resolution #840

APPROVES TEMPORARY SIGN PERMIT OF FLORSHEIM
Adopted September 19th, 2000

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

WHEREAS, a temporary sign permit application and sketch were submitted by Art Henderson for property located at Tanger Outlet Center, Tanger Drive, Riverhead, New York, more particularly described as Suffolk County Tax Map Number 0600-108-3,4 and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application submitted by Art Henderson for Florsheim, which application is dated August 31st, 2000 and be it further

RESOLVED, that said temporary sign permit shall expire on December 31st, 2000, and the applicant shall remove the affected sign, in its entirety, on or before said date; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Art Henderson, Florsheim Group., 200 North LaSalle Street, Chicago, Ill. 60601 the Planning Department and the Riverhead Building Department.

THE VOTE

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

SEPTEMBER 19, 2000

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 841

AUTHORIZATION TO PUBLISH BID

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

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **OFFICE SUPPLIES, FURNITURE AND EQUIPMENT** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **September 7, 2000** issue of the News Review.

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

THE VOTE

Densleald ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

F:\Melissa\BID.P&P.OFFICE SUPPLIES.doc

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of **OFFICE SUPPLIES, FURNITURE AND EQUIPMENT** 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 **September 20, 2000.**

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 OFFICE SUPPLIES, FURNITURE AND EQUIPMENT.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

TB 9/19/2000

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 842
Adopted September 19, 2000

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR ONE (1) NEW DIESEL LEAF VACUUM

COUNCILMAN KENT OFFERED THE FOLLOWING

RESOLUTION WHICH WAS SECONDED BY COUNCILMAN CARDINALE.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of ONE NEW DIESEL LEAF VACUUM for the use of the Town of Riverhead Highway Department, AND BE IT,

RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highways, and all bids to be returnable up to 10:00 A.M. on OCTOBER 2, 2000AND BE IT FURTHER,

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to open publicly and read aloud on October 2, 2000 at 10:00 A.M. at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "BID ON ONE NEW DIESEL LEAF VACUUM".

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

NOTICE TO BIDDERS

Sealed bids for the purchase of "ONE (1) NEW DIESEL LEAF VACUUM" for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until 10:00 A.M. on October 2,2000

Instructions for bidders, specifications and forms may be obtained at the office of the Town Clerk at the Town Hall Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M..

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet of paper bearing the designation "Exceptions to the Specifications", and attached to the bid form.

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

All bids will be submitted to the Town Clerk's office in a sealed envelope bearing the designation "BID on ONE (1)NEW DIESEL LEAF VACUUM"

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA A. GRATTAN, TOWN CLERK

September 19, 2000

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 843

AUTHORIZATION TO PUBLISH BID

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

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **#4 AND #6 FUEL OIL** for use by the Town of Riverhead for maintenance at the Grumman Property.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **September 21, 2000** issue of the News Review.

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

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of **#4 AND/OR #6 FUEL OIL** 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 SEPTEMBER 29, 2000.**

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.

Adopted 1548

TOWN OF RIVERHEAD

RESOLUTION # 844

AWARDS BID FOR IRON PIER RECONSTRUCTION AND IMPROVEMENTS

Adopted: September 19, 2000

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

WHEREAS, the Town Clerk was authorized to post and publish a Notice to Bidders for the reconstruction and improvements at Iron Pier; and

WHEREAS, five (5) bids were received, opened and read aloud on the 8th day of September, 2000 in the Office of the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Iron Pier reconstruction and improvements project be and is hereby awarded to Atlantic Coast Dock Building in the amount of One Million Nine Hundred Eighty Seven Thousand Six Hundred Thirty Four Dollars ($1,987,634.00) plus Alternate in the amount of Twenty Seven Thousand One Hundred Dollars ($27,100) to be implemented at the discretion of the Town Engineer; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes 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 Atlantic Coast Dock Building, Greg Kelsey, Sidney Bowne, Ken Testa and the Office of Accounting.

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

09/19/00

Adopted

AWARDS BID FOR EXTENSION NO. 54, TWOMEY AVENUE

RIVERHEAD WATER DISTRICT

Adopted 9/18/00

RESOLUTION # 845

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

WHEREAS, this Town Board did authorize the advertisement for bids for the installation of water mains and appurtenances to be known as Extension No. 54 of the Riverhead Water District, and

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

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

WHEREAS, it has been recommended by H2M, consulting engineers to the Riverhead Water District, by letter dated September 18, 2000, that the bid be awarded to Alessio Pipe & Construction of Huntington Station, New York in the total bid amount of $90,420, exclusive of Item 30,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the installation of water mains and appurtenances for Extension No. 54 be and is hereby awarded to Alessio Pipe & Construction of Huntington Station, New York, in the bid amount of $90,420, exclusive of Item 30, and be it further

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

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

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

THE VOTE

Densleeld ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

09/19/00

Adopted

TOWN OF RIVERHEAD

Resolution # 846

AMENDS RESOLUTION #776

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

WHEREAS, Resolution #776 was adopted September 5, 2000, appointing Joan Kielkowski to the position of Part Time Justice Court Clerk at an hourly rate of $12.00 effective September 5, 2000, and

WHEREAS, the hourly rate should have been $14.8006.

THEREFORE, BE IT RESOLVED, that resolution #776 be amended to reflect an hourly rate of $14.8006.

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

THE VOTE

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

9/19/00

1551 Adopted

TOWN OF RIVERHEAD

Resolution # 847

APPOINTS A RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution;

which was seconded by COUNCILMAN DENSIESKI

RESOLVED, that Alexander Stewart is hereby appointed to serve as a Recreation Aide effective, September 19, 2000 to and including, December 31, 2000 to be paid at the rate of $9.08 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

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

09/19/00

Adopted

TOWN OF RIVERHEAD

Resolution # 848

PROMOTES SENIOR ACCOUNT CLERK TYPIST
TO THE POSITION OF HEAD CLERK

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

WHEREAS, the Police Department has requested that the position of Head Clerk be created, and

WHEREAS, the Suffolk County Department of Civil Service established the List of Eligibles #00A-434, and

WHEREAS, Victoria Vourakis, currently a Senior Account Clerk Typist in the Police Department is one of three willing candidates on said List of Eligibles, and

WHEREAS, the Police Department has recommended that Victoria Vourakis be promoted to the position of Head Clerk.

NOW, THEREFORE, BE IT RESOLVED, that effective September 19, 2000, the Town Board hereby appoints Victoria Vourakis to the position of Head Clerk, Group 4, Step 12 of the Administrative Salary Schedule of the CSEA Contract and the title of Senior Account Clerk Typist be abolished in the Police Department; and

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

THE VOTE

Densiesld ✓ Yes ___ No Cardinale ✓ Yes ___ No
Kent ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No
THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY ADOPTED

9/19/00

Adopted

TOWN OF RIVERHEAD

Resolution # 849

APPOINTS A RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN CARDINALE

RESOLVED, that Yvette Woodson is hereby appointed to serve as a Recreation Aide with the working title of Basketball Leader, effective, September 20, 2000 to and including, November 30, 2000 to be paid at the rate of $6.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No
Kent ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY ADOPTED

09/19/00

Adopted

TOWN OF RIVERHEAD

Resolution # 850

APPOINTS A REC. AIDE/ARTS & CRAFTS INSTRUCTOR TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILMAN KENT

BE IT RESOLVED, that Anne Marie Tucci is hereby appointed to serve as a Recreation Aide with the working title of Arts & Crafts Instructor effective October 1, 2000 to and including December 31, 2000 to be paid at the rate of $20.00 per hour, and to serve at the pleasure of the Town Board; and :

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

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

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

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

9/19/00

Adopted

TOWN OF RIVERHEAD

Resolution # 851

APPOINTS A RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

RESOLVED, that Doreen Jackson is hereby appointed to serve as a Recreation Aide with the working title of Basketball Instructor, effective, September 20, 2000 to and including, November 30, 2000 to be paid at the rate of $12.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

Densleski ✓ Yes ___ No Cardinale ✓ Yes ___ No
Kent ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No
THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY ADOPTED

9/19/00

Adopted

TOWN OF RIVERHEAD

Resolution # 852

APPOINTS RECREATION AIDES FOR THE PURPOSE OF BEING BASKETBALL LEADERS TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN CARDINALE

RESOLVED, that the Town Board appoints the attached list of Recreation Aides for the purpose of being Basketball Leaders to the Recreation Department, effective September 20, 2000 to and including November 30, 2000, and to serve at the pleasure of the Town Board and

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

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

RECREATION DEPARTMENT APPOINTMENTS
9/19/00 TOWN BOARD MEETING

Last	First	Title	Start Date	End Date	Salary	*Special Note
Dinkelmeyer	john	Recreation Aide	9/20/00	11/30/00	$6.00	1
Johanamann	Jessica	Recreation Aide	9/20/00	11/30/00	$6.00	1
Manglavetti	Erica	Recreation Aide	9/20/00	11/30/00	$6.00	1
Monahan	Jerimiah	Recreation Aide	9/20/00	11/30/00	$6.00	1
Rourke	Jessica	Recreation Aide	9/20/00	11/30/00	$6.00	1
Sanders	Greg	Recreation Aide	9/20/00	11/30/00	$6.00	1
Schandel	Heather	Recreation Aide	9/20/00	11/30/00	$6.00	1
Walters	Kim	Recreation Aide	9/20/00	11/30/00	$6.00	1

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

2: Subject to Suffolk County Lifeguard Certification.

3: Current American Red Cross Instructor Certification.

September 19, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 853

RATIFIES EXTENSION OF MILITARY LEAVE

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

WHEREAS, by Resolution #1156 adopted December 21, 1999, the Town Board granted a military leave of absence to Police Officer Antonio Bassi; and

WHEREAS, resolution #760 was adopted on August 15, 2000, extending this leave until September 16, 2000; and

WHEREAS, due to extenuating circumstances, Antonio Bassi has requested that his unpaid military leave be extended again through and including October 16, 2000.

NOW, THEREFORE, BE IT RESOLVED, that Antonio Bassi be granted an extension of his military leave of absence through and including October 16, 2000.

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

THE VOTE

Densleski ✓ Yes ___ No Cardinale ✓ Yes ___ No
Kent ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No
THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY ADOPTED

09/19/00

Adopted

TOWN OF RIVERHEAD

Resolution # 854

ACCEPTS RESIGNATION OF A POLICE OFFICER
IN THE POLICE DEPARTMENT

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

WHEREAS, Robert J. Kall, a Police Officer, has notified Chief Grattan in writing of his resignation effective September 18, 2000.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Robert J. Kall;

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

THE VOTE

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

SEPTEMBER 19, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 855

LOCAL STREET & HIGHWAY

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN CARDINALE offered the following resolution ,

which was seconded by COUNCILMAN KENT

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

		FROM:
451.053589.492500.80051	TRANSPORTATION STATE AID	$100,000.

		TO:
451.051100.541300.80051	**ROAD REPAIR & MAINTANENCE**	**$100,000.**

THE VOTE

Cardinale ☑ Yes ☐ No Densieski ☑ Yes ☐ No

Kent ☑ Yes ☐ No Lull ☑ Yes ☐ No

Kozakiewicz ☑ Yes ☐ No

F:\Cindy\B\RADJ\Local&hwy.doc

SEPTEMBER 19, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 856

JOINT SCAVENGER WASTE DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN LULL offered the following resolution ,

which was seconded by COUNCILMAN KENT

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

		FROM:
918.081890.546203	PLANT ELECTRICITY	$11,300.

		TO:
918.081890.524503	CHEMICAL EXPENSE	**$9,500.**
918.081890.546100	TELEPHONE EXPENSE	**400.**
918.081890.546304	PLANT FUELS	**1,400.**

THE VOTE

Cardinale ☑ Yes ☐ No Densieski ☑ Yes ☐ No

Kent ☑ Yes ☐ No Lull ☑ Yes ☐ No

Kozakiewicz ☑ Yes ☐ No

F:\Cindy\Bjt\ADJ\918.doc

SEPTEMBER 19, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 857

SEWER DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN DENSIESKI offered the following resolution ,

which was seconded by COUNCILMAN CARDINALE

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

		FROM:
114.000000.390599	APPROPRIATED FUND BALANCE	$12,500.

		TO:
114.081300.524503	**CHEMICAL EXPENSE**	**$4,000.**
114.081300.546100	**TELEPHONE EXPENSE**	**500.**
114.081300.547506	**LAB ANALYSIS EXPENSE**	**8,000.**

THE VOTE

Cardinale ☑ Yes ☐ No Densieski ☑ Yes ☐ No

Kent ☑ Yes ☐ No Lull ☑ Yes ☐ No

Kozakiewicz ☑ Yes ☐ No

SEPTEMBER 19, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 858

STOTZKY PARK SKATEBOARD COMPLEX

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN DENSIESKI offered the following resolution ,

which was seconded by COUNCILMAN LULL

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

FROM:

406.095031.481900.70048	TRANSFER FROM SPECIAL TRUST	$25,000.

TO:

406.071100.543505.70048	ENGINEER EXPENSE	$25,000.

THE VOTE

Cardinale ☑ Yes ☐ No Densieski ☑ Yes ☐ No

Kent ☑ Yes ☐ No Lull ☑ Yes ☐ No

Kozakiewicz ☑ Yes ☐ No

F:\Cindy\Bjt\ADJ\406.stotzky.doc

SEPTEMBER 19, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 859

SOUTH JAMESPORT SIDEWALK IMPROVEMENT
CAPITAL PROJECT

BUDGET ADJUSTMENT

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

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

406.095710.494200.43002	SERIAL BOND PROCEEDS	FROM: $5,100.
406.0050100.541206.43002	**SIDEWALKS**	**TO: $5,100.**

THE VOTE

Cardinale ☑ Yes ☐ No Densieski ☑ Yes ☐ No

Kent ☑ Yes ☐ No Lull ☑ Yes ☐ No

Kozakiewicz ☑ Yes ☐ No

Cindy\Bjt\ADJ\406.SJP.doc

SEPTEMBER 19, 2000

Adopted

TOWN OF RIVERHEAD

HIGHWAY DEPARTMENT
BUDGET ADJUSTMENT

RESOLUTION # 860

COUNCILMAN KENT offered the following resolution ,

which was seconded by COUNCILMAN LULL

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

		FROM:
111.051300.524000	EQUIPMENT	$20,000.
		TO:
111.051300.541400	**REPAIRS OF EQUIPMENT**	**$20,000.**

THE VOTE

Cardinale ☑ Yes ☐ No Densieski ☑ Yes ☐ No

Kent ☑ Yes ☐ No Lull ☑ Yes ☐ No

Kozakiewicz ☑ Yes ☐ No

F:\Cindy\B\MADJ\111 919.doc

Adopted

SEPTEMBER 19, 2000

TOWN OF RIVERHEAD

Resolution # 861

IRON PIER BEACH IMPROVEMENT

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN DENSIESKI offered the following resolution ,

which was seconded by COUNCILMAN LULL

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

		FROM:
406.095710.494200.70050	SERIAL BOND PROCEEDS	$250,000.

		TO:
406.071800.523015.70050	CAPITAL IMPROVEMENTS	$245,000.
406.071800.543505.70050	ENGINEERING	5,000.

THE VOTE

Cardinale ☑ Yes ☐ No Densieski ☑ Yes ☐ No

Kent ☑ Yes ☐ No Lull ☑ Yes ☐ No

Kozakiewicz ☑ Yes ☐ No

F:\Cindy\Bjt\ADJ\406.IPB.doc

Adopted

SEPTEMBER 19, 2000

TOWN OF RIVERHEAD

Resolution # 862

Y2K RECREATION CAPITAL IMPROVEMENT PROJECT

BUDGET ADJUSTMENT

COUNCILMAN LULL offered the following resolution ,

which was seconded by COUNCILMAN KENT

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

FROM:

06.095031.481900.70046 SPECIAL TRUST TRANSFER $5,000.

TO:

406.071400.524907.70046 PLAYGROUND EQUIPMENT WR & GYYCC $5,000.

THE VOTE

Cardinale ☑ Yes ☐ No Densieski ☑ Yes ☐ No

Kent ☑ Yes ☐ No Lull ☑ Yes ☐ No

Kozakiewicz ☑ Yes ☐ No

F:\Cindy\Bjt\ADJ\406.Y2K.doc

Adopted

9/19/00

TOWN OF RIVERHEAD

Resolution # 863

AUTHORIZES THE TOWN OF RIVERHEAD TO SECURE, DEMOLISH OR REMOVE UNSAFE BUILDING OR STRUCTURE PURSUANT TO CHAPTER 54 OF THE RIVERHEAD TOWN CODE (LLOYD SEYMOUR - 34 OAK DRIVE)

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

WHEREAS, pursuant to Chapter 54 of the Riverhead Town Code entitled," Unsafe Buildings and Collapsed Structures", certain land and buildings reputedly owned by Lloyd Seymour located at 34 Oak Drive, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-65-1-15, has been determined by the Building Inspector to be unsafe and dangerous to the public;

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

WHEREAS, a public hearing was held on the 31st day of August, 2000 at 11:30 o'clock a.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice and all persons wishing to be heard were heard; and

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

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

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Lloyd Seymour, c/o Marianne Fitzgerald, 223 Flanders Road, Apartment #20, Riverhead, New York, 11901; Kenneth Testa, P.E., the Building Department; the Tax Receiver's Office; the Assessor's Office; the Office of Accounting and the Town Attorney's Office.

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No
Kent ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY ADOPTED

1569

Adopted

9/19/00

TOWN OF RIVERHEAD

Resolution # 864

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN LULL :

WHEREAS, the Town Clerk was authorized to publish and post the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and

WHEREAS, a public hearing was held on the 18th day of July, 2000 at 7:35 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✕ WAS NOT ___

THEREUPON DULY ADOPTED

D:\Laura\reso\108.ADO

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted an amendment to Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on September 19, 2000, as follows:

108-97. Major subdivision.

(14) Park and playground sites.

(c) Where the Planning Board deems it to be in the best interest to require the developer to deposit a payment, the amount to be paid shall be at the rate of ~~$2,000~~ $3,000 per each lot in the subdivision effective immediately. In lieu of a cash payment, the subdivider may post certificate of deposit or pass book in the name of the Town of Riverhead equal to the total fee as required herein. Where such cash, certificate of deposit or pass book is deposited, the fee of ~~$2,000~~ $3,000 shall be paid to the Town of Riverhead prior to the issuance of each certificate of occupancy of residential structures within the subdivision by the Building Inspector. The balance shall be payable in full on the second anniversary date on which this certificate of deposit or passbook was deposited and shall be withdrawn from such account by order to the Town Board. Such interest as may accrue on the certificate of deposit or passbook shall be returned and taxable to the depositor.

(e) If the Planning Board shall require that certain land be reserved for park, playground or other recreational purposes and a cash deposit be made, the cash deposit shall be equal to the amount hereinbefore set forth, e.g., ~~two~~ three thousand dollars ~~($2,000.)~~ ($3,000.) for each lot in the subdivision, less the cost of land reserved at the rate of five thousand dollars ($5,000.) per acre and less the cost of the amount approved for the construction of the improvements in the recreational area. The amended fee of ~~two~~ three thousand dollars ~~($2,000.)~~ ($3,000.) shall apply to all subdivisions which receive final plat approval after ~~January 13, 1987~~ September 1, 2000.

§ 108-146. Condominium map approval.

A. The Planning Board is hereby empowered to approve condominium maps for filing with the Clerk of the County of Suffolk, subject to all applicable rules and regulations and the payment of a recreation fee of an amount equal to ~~two~~ three-thousand dollars ~~($2,000.)~~ ($3,000.) per dwelling unit to the Town of Riverhead. In lieu of a cash payment, the developer may post a bond or letter of credit equal to the total fee, as required herein. The term of such bond or letter of credit shall extend for a period of two (2) years and six (6) months. After two (2) years from the date of the issuance of the bond or letter of credit, the balance of the fee covering all the lots shall be due. The Town Board may extend the due date upon proof that the bond or letter of credit remains in full force and effect. The Clerk of the Planning Board shall maintain a log of the expiration dates of all such bonds.

Where such cash or letter of credit is deposited, the fee of ~~two~~ three thousand dollars ~~($2,000.)~~ ($3,000.) shall be paid to the Town of Riverhead prior to the issuance of each certificate of occupancy by the Building Inspector.

Dated: Riverhead, New York
September 19, 2000

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

- Underscore represents addition(s)
- Overstrike represents deletion(s)

9/19/00

Adopted

TOWN OF RIVERHEAD

ORDER ESTABLISHING EXTENSION 59
TO THE RIVERHEAD WATER DISTRICT
DEEP HOLE ROAD SUBDIVISION

Adopted 9/19/00

RESOLUTION # 865

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

WHEREAS, a petition has been filed by the developer of property located on the north side of Deep Hole Road, approximately 400 feet west of Middle Road requesting the Riverhead Water District to provide water facilities to their proposed residences which are located just outside the boundaries of the existing Water District, and

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District for an extension to the Riverhead Water District to be known as Extension No. 59 located on Deep Hole Road in Calverton, New York, and

WHEREAS, the cost for the installation of said mains and appurtenances shall be borne solely by the developer with no portion thereof to be borne by the district as a whole, and

WHEREAS, the cost of the proposed extension is $228,060, and

WHEREAS, the Town Board called a public hearing for September 5, 2000, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 59 as shown on Exhibit A attached is in the best interest of the district and will benefit the property to be served, which extension shall serve property located on Deep Hole Road, Calverton, New York, and

BE IT FURTHER RESOLVED that the Town Board determines that the

installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment, and

BE IT FURTHER RESOLVED, that this extension is conditioned and shall not become effective until the conditions contained herein are complied with, and

BE IT FURTHER RESOLVED, that the cost of installation of said mains and appurtenances is $228,060, all being constructed subject to the following conditions:

1. The owners grant a permanent, unobstructed subsurface easement for the installation and maintenance of water mains and appurtenances within the streets of the proposed extension;

2. The developer has posted a bond or letter of credit covering the cost of construction in the amount of $228,060;

3. Key money to be posted by cash or bond in the amount of $65,000. If said amount is bonded, key money shall be payable prior to the issuance of a certificate of occupancy by the Riverhead Building Department.

4. That the petitioner execute an acknowledgment evidencing their acceptance of the terms and conditions of this resolution and agree to be bound by it before it shall become effective; such acknowledgment to be filed with the Town Clerk

and it is further

RESOLVED, that when the conditions called for herein have been completed, the Town Clerk shall cause a copy of this Order to be recorded in the Office of the Clerk of Suffolk County, and filed with the New York State Comptroller, and it is further

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

THE VOTE

Densleski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

EXHIBIT "C"

RIVERHEAD WATER DISTRICT

PROPOSED EXTENSION NO. 59

DEEP HOLE ROAD SUBDIVISION

DESCRIPTION OF EXTENSION

All this certain lot, parcel of land, said property being known as Section 080, Block 02, Lot 003.1, situated and lying and being at Calverton, Town of Riverhead, County of Suffolk and State of New York, along with the right-of-ways known as Deep Hole Road, Middle Road and Mill Road, bounded and described as follows:

BEGINNING at a point formed by the northerly right-of-way of Middle Road and the easterly right-of-way of Mill Road. This being the said POINT OF BEGINNING.

From said POINT OF BEGINNING, running southerly to a point formed by the southerly right-of-way of Middle Road and the easterly right-of-way of Mill Road.

THENCE running westerly to a point formed by the southerly right-of-way of Middle Road and the westerly right-of-way of Mill Road.

THENCE running westerly along the southerly right-of-way of Middle Road a distance of approximately 2,840 feet to a point formed by the apparent intersection of the southerly right-of-way of Deep Hole Road and the southerly right-of-way of Middle Road.

THENCE running westerly to a point formed by the southerly right-of-way to Deep Hole Road and the northerly right-of-way of Middle Road.

THENCE running westerly along the southerly right-of-way of Deep Hole Road a distance of approximately 824 feet to a point formed by a line perpendicular to a point formed by the west property lien of Section 080, Block 02, Lot 003.1 and the northerly right-of-way of Deep Hole Road.

THENCE running north from said point on the southerly right-of-way line of Deep Hole Road a distance of 50.00 feet to a point formed by the westerly property line of Section 080, Block 02, Lot 003.1 and the northerly right-of-way of Deep Hole Road.

THENCE running northerly along the westerly property line of Section 080, Block 02, Lot 003.1 a distance of 1,777.45 feet to a point.

THENCE running easterly along the northerly property line of Section 080, Block 02, Lot 003.1 a distance of 742.34 feet to a point.

THENCE running southerly along the easterly property line of Section 080, Block 02, Lot 003.1 a distance of 401.75 feet to a point.

THENCE running westerly along property line of Section 080, Block 02, Lot 003.1 a distance of 107.33 feet to a point.

THENCE running southerly along the easterly property line of Section 080, Block 02, Lot 003.1 the following distance 506.75, 183l23, 91.82, 54.96, 234.55, 73.11, 68.22, 113.03, 152.56, 63.86 and 127.82 feet to a point.

THENCE running westerly along the southerly property line of Section 080, Block 02, Lot 003.1 the following distances: 63.31, 91.65, 154.06, 159.89 and 43.00 feet to a point formed by the northerly right-of-way of Deep Hole Road and the westerly property line of Section 110, Block 002, Lot 023.1.

THENCE running easterly along the northerly right-of-way of Deep Hole Road a distance of approximately 741 feet to point formed by the easterly property line of Section 100, Block 002, Lot 027 and the northerly right-of-way of Middle Road.

THENCE running easterly along the northerly right-of-way of Middle Road a distance of approximately 2,624 feet to a point formed by the northerly right-of-way of Middle Road and the westerly right-of-way of Mill Road.

THENCE running easterly to a point formed by the northerly right-of-way of Middle Road and the westerly right-of-way of Mill Road a distance of approximately 57 feet. This being the said POINT OF BEGINNING.

END OF DESCRIPTION

Adopted

72113-3144P

RESOLUTION # 866

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on September 19, 2000, at 7:00 o'clock P .M., Prevailing Time.

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

PRESENT: Supervisor Robert F. Kozakiewicz
Councilman Edward Densieski
Councilman Philip Cardinale
Councilman Christopher Kent
Councilman James Lull

Town Clerk Barbara Grattan
Town Attorney Dawn Thomas

ABSENT:

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

BOND RESOLUTION DATED SEPTEMBER 19, 2000.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL $2,000,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY ADDITIONAL COSTS OF THE ACQUISITION OF LAND AT RAILROAD AVENUE AS THE SITE OF FUTURE PUBLIC PARKING IN AND FOR SAID TOWN.

WHEREAS, by bond resolutions dated September 21, 1999 and May 4, 2000, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of an aggregate $225,000 serial bonds of said Town to pay the cost of the acquisition of land at Railroad Avenue; and

WHEREAS, it has now been determined that the maximum estimated cost of the aforedescribed acquisition of land is $2,225,000, an increase of $2,000,000 over that previously authorized; and

WHEREAS, is it now desired to provide for the issuance of an additional $2,000,000 serial bonds of said Town to pay additional costs thereof; NOW, THEREFORE, BE IT

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

Section 1. For the class of objects or purposes of paying additional costs of the acquisition of land at Railroad Avenue, in and for the Town of Riverhead, Suffolk County, New York, for use as the site of future public parking, including incidental expenses in connection therewith, there are hereby authorized to be issued $2,000,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such class of objects or purposes is now determined to be $2,225,000, and that the plan for the financing thereof is as follows:

a. the issuance of the $50,000 serial bonds of said Town authorized to be issued pursuant to bond resolution dated September 21, 1999; and

b. y the issuance of the additional $175,000 serial bonds of said Town authorized to be issued pursuant to bond resolution dated May 4, 2000; and

c. By the issuance of the additional $2,000,000 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 class of objects or purposes is thirty years, pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law.

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

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

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

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

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

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

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

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

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

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

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

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

Section 11. This resolution, which takes effect immediately, shall be published in full in _____, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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:

Supervisor Kozakiewicz	VOTING	Yes
Councilman Densieski	VOTING	Yes
Councilman Cardinale	VOTING	Yes
Councilman Kent	VOTING	Yes
Councilman Lull	VOTING	Yes

The resolution was thereupon declared duly adopted.

* * * *

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

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 19, 2000, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media	Date given
Times Review	September 18, 2000

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 20, 2000

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on September 20, 2000.

Barbara Dutton
Town Clerk

(CORPORATE SEAL)

9/19/00

Adopted

TOWN OF RIVERHEAD

Resolution # 867

AUTHORIZES THE SUPERVISOR TO EXECUTE AGREEMENT BETWEEN TOWN OF RIVERHEAD AND RIVERHEAD THEATRE CORPORATION

COUNCILMAN KENT offered the following resolution, was seconded by

COUNCILMAN LULL:

WHEREAS, the Town desires to engage a qualified organization to assist with the design, and renovation, and, subsequently, to manage certain premises owned by the Town located on East Main Street, Riverhead, New York known as the Suffolk Theatre, so as to provide live stage performances and films for the betterment of the community and the continued revitalization of the Riverhead hamlet downtown area.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an Agreement (copy attached herewith) between the Town of Riverhead and Riverhead Theatre Corporation; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Riverhead Theatre Corporation, P.O. Box 1644, Riverhead, New York, 11901; Ken Testa, P.E.; the Riverhead Building Department; the Office of the Town Attorney and the Office of Accounting.

THE VOTE

Densieski ___ Yes ___ No abstain Cardinale ___ Yes ✓ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

D:\Laura\reso\theatre.res.doc

AGREEMENT

Township of Riverhead with the Riverhead Theatre Corporation

Agreement dated the day of , 2000 by and between the **Township of Riverhead**, a municipal corporation existing under the laws of the State of New York, with offices at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter the "Town") and **Riverhead Theatre Corporation**, a not for profit corporation under the laws of the State of New York, with IRS 501 (c) 3 status under the laws of the United States of America, (hereinafter "RTC") having principal offices located in Riverhead, mailing address at P.O. Box 1644, Riverhead, New York 11901.

WITNESSETH

Whereas, the Town desires to engage a qualified organization to assist with the design, and renovation, and, subsequently, to manage certain premises owned by the Town located on East Main Street, Riverhead, New York known as the **Suffolk Theatre** (hereinafter the "Theatre") so as to provide live stage performances and films for the betterment of the community and the continued revitalization of the Riverhead hamlet downtown area;

Whereas, RTC has assembled expertise and experience with respect to theater design, budgeting, promotion and marketing for the production of live stage performances and film and desires a location to produce such shows, and

Whereas, RTC has the primary corporate purpose of managing, improving and operating the Suffolk Theatre and

Whereas, the RTC has obtained 501 (c) 3 status and raised substantial funds for these collective purposes;

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, it is agreed by and between the Town and RTC as follows:

A. Management of the Theatre

RTC shall manage the Theatre for and on behalf of the Town under the terms and conditions set forth herein starting at signing of this document, and continuing for a Five-year term. The Five-year period shall be calculated as of Opening Day of the Theatre.

B. Management and Fundraising Fees and Receipts

1. In connection with the management of the Theatre, RTC shall retain:

a. Gross receipts from ticket sales in connection with RTC stage productions,
b. Gross receipts from the sale of food and beverage concessions within the Theatre.

c. Receipts from merchandising concessions for RTC produced shows.
d. Operating funds raised from all past present and future charitable activities, including event fundraisers, corporate or individual contributions and sponsors, and funds raised by the "sale" of theatre seats and improvements (i.e. by providing naming, plaques and enhanced use rights).

2. RTC shall pay to the Town the following:

a. Sixty Thousand ($60,000.00) Dollars to be paid in equal monthly installments of $1,000.00 each on or prior to the first day of each month first following the opening of the renovated Theatre, without notice, or demand during the term of the lease, and following the Opening Day of the theatre. If this Agreement commences other than on the first day of the calendar month or if the expiration date is other than on the last day of the calendar month, payment for such months shall be prorated. A payment received more than 15 days late shall have added a 2% late fee.

b. Beginning 6 months after Opening Day of the renovated theatre, four percent of the ticket sales in connection with shows produced or presented by RTC at the Theatre after the six-month period.

c. Beginning 6 months after Opening Day of the renovated theatre, four percent of the gross receipts from sale of food and beverages in connection with shows produced or presented by RTC at the Theatre after the six-month period.

C. Town Responsibilities and Obligations

The Town does hereby designate the RTC as the sole and exclusive entity for managing the operation, scheduling, programming, and marketing of the Theatre.

The Town does hereby designate the RTC as the sole and exclusive 501(c) (3) corporation for fundraising and charitable deductions related to the operations of the Theatre.

The Town shall:

1. Allow RTC reasonable, complete access to the Theatre during the renovation, so long as access as requested does not pose a safety hazard.

2. Complete the final architectural plans for the theatre and equipment with the current architects, Rothzeid, Kaiserman, Thomson & Bee of New York, and their subcontractors, (hereinafter collectively known as RKTB) incorporating suggestions and improvements of the Town Board, the town building inspectors, the town engineer, and the RTC. The current version (January 1997) of these RKTB plans is attached as Exhibit A. The final architectural plans (to be used for bidding in 2000) will be attached as Exhibit B when completed and ready for obtaining bids. The final architectural plans shall include all of the

renovations, features, amenities and equipment, or upgrades thereof, as are currently set forth in the January 1997 RKTB plans.

3. Obtain Bids from qualified bidders for completing the final architectural plans.

4. Make its best efforts to fund the best qualified bidder, to take whatever steps are necessary, including rebonding the current bond for all amounts necessary to award the winning renovation bid, and assure timely completion of the renovation of the theatre in 2001.

5. Establish an Opening Day. Opening Day shall be established in direct consultation and agreement with the RTC, when the Town has substantially completed the Theatre renovations, and can deliver a Certificate of Occupancy. The Town shall indicate in writing to the RTC that the Theatre is or will be ready for use on such opening day. Such notice will be given as soon as possible, but no later than 90 days before such Opening Day.

6. Cancel the contract with Regal Theaters.

7. Continue to promote the use of the Theatre as a Cultural Center and as an attraction to the quality of life within the Town and surrounding community.

8. Provide details of all obligations, assets, encumbrances and commitments made in prior capital improvement and fundraising efforts (e.g. seat sales, named improvements, bonding agreements) so that such commitments may be honored. These are attached as Exhibit C.

D. Responsibilities and Obligations of RTC

RTC shall:

1. Continue to serve during the term of the Agreement as Theatre Consultants and assist the Town in the renovation and restoration presently underway and particularly with respect to those renovations that will have an effect upon film and live performances at the Theatre.

2. Raise one half of a million dollars, ($500,000) by one week after Opening Day, to fund the continuing operations of the Suffolk Theatre. RTC shall continue its current fundraising efforts, and will have the right prospectively to "sell" the seats and other physical attributes of the Theatre to sponsors and donors. The half a million dollar effort shall be calculated as money raised, net of normal and necessary fundraising expenses. Expenses attributable to the actual operation of the Theatre shall not be deducted, in figuring whether the obligation is met. The parties agree that RTC has already raised Forty Four Thousand Five Hundred Eleven ($ 44,511.00) Dollars currently held in its own accounts, and will be credited the funds held by the East End Arts Council when they are transferred to the RTC.

3. Once the funds raised thereby are transferred to the RTC, honor the commitments made by the Town and the EEAC to their respective donors.

4. Hire professional management personnel, qualified to manage the day to day operations of the Theatre.

5. After the theatre is opened, present a minimum of fifty (52) shows per year on a calendar year basis after the completion of the renovation. A show is defined as an event that is publicly advertised, promoted and performed and for which tickets are sold or distributed to the general public; such events will be a blend of various forms of entertainment, including without limitation, or requirement; live music, plays and theatre productions, comedy, on-site production of events for live or delayed telecast, broadcast or webcast by TV or other entertainment media, debates and public forums, film and film festivals, dance, performance art and multimedia presentations. Such events will include performances from local or amateur groups who would not otherwise be able to afford this or a similar facility. The RTC agrees to either waive or reduce the facility use rates, provided that RTC will be given great discretion to schedule such events at times (the off season) rather than when demand for events that will better assist the RTC meet its budget is greatest (the season). For this agreement, "the Season" shall be defined as the Wednesday before Memorial Day weekend through Tuesday following Columbus Day weekend. However, the foregoing shall not preclude or prohibit the scheduling of performances by local or amateur groups and who would not otherwise be able to afford this or a similar facility. RTC agrees to use its best efforts to schedule such performances throughout the year.

6. Provide all equipment, not otherwise provided by the Town, materials and technical personnel necessary to operate the equipment and present events;

7. Perform all routine maintenance and cleaning within the Theatre including cleaning services within the Theatre and shall keep the premises in a clean and neat condition satisfactory and subject to inspection and approval by the Town.

8. Have an Opening Day celebration – fundraiser featuring the history and renovation of the Theatre and a presentation of local acts and entertainments showcasing the multiple functions of the theatre.

9. Maintain an adequate supply of food and beverage for concession sales at events and pay the person responsible for operating the concession at such events.

10. Obtain all permits and approvals required for all such operations, including a license from the State Liquor Authority, if deemed advisable.

11. Provide to the Town on a monthly basis an account showing the number of tickets sold with respect to every show produced or presented by RTC at the Theatre said account to be certified by an officer of RTC as being true and correct and permit the Town to count the house at any RTC produced or presented show.

12. Beginning on Opening Day, the RTC shall pay the operating expenses of the Theatre, including, but not limited to: electric, fuel, telephone and cable

E. Operations

The Theatre and equipment maintained in the Theatre by RTC shall be operated by RTC designated personnel, contractors or subcontractors only. This shall not be construed to prevent the RTC from reaching agreements with other qualified entities, or individuals who wish to present, promote or manage their own events or event series at the theatre. However, said agreements are subject to proof of necessary insurance naming the Town and the RTC as additional insureds.

F. Assignment

1. The Town shall have the right to transfer the property and assign its responsibilities under this Agreement to a duly constituted not-for-profit public benefit corporation if the Town should so desire.

2. RTC shall not assign this Agreement without Town approval.

G. Repairs and Alterations

- RTC shall keep, and at the end of the term return, the Theatre and all equipment and fixtures belonging to the Town in good order and repair and maintain same but shall not be responsible for ordinary wear.

- RTC shall not alter or otherwise change the Theatre without the Town's written approval.

- RTC is responsible for non-structural repairs to the Theatre and maintenance of the various systems in the Theatre during the term hereof by way of example but not limitation these include: interior painting, interior trim, maintenance of the floors (unless caused by structural defect).

- The Town shall be responsible for exterior maintenance and shall make necessary structural repairs. Structural repairs by way of example but not limitation include: facade and roofing systems, electrical, heating, ventilating, air conditioning system and plumbing systems. As noted above, RTC shall *maintain* the various systems in the Theatre such as the plumbing, heating, air conditioning and electrical systems.

H. Furnishings and Fixtures

RTC installed trade fixtures that are attached to the Theatre must be removed by RTC at the termination of the term or any extension thereof and the associated parts of the Theatre restored to the original condition.

Exhibit E hereto is a list of the furnishings, fixtures and equipment in the Theatre that is owned by RTC. Exhibit E may be amended from time to time by Agreement of the parties hereto which Agreement shall be signed by the Supervisor of the Town and noted in the minutes of Town Board meeting.

Exhibit F hereto is a list of the furnishings, fixtures and equipment in the Theatre that owned by The Town. Exhibit F may be amended from time to time by Agreement of the parties hereto which Agreement shall be signed by the Supervisor of the Town and noted in the minutes of Town Board meeting.

I. Governance

1. As long as the Town is actively working toward the Town Responsibilities and Obligations in Paragraph 3 above, the RTC shall, by resolution of its Board of Trustees, and amendment of its By Law, if necessary, designate two seats on its Board of Trustees for appointees of the Town.

2. The two town appointees shall have full rights of members of the Board of Trustees.

3. Town appointees shall be chosen by resolution of the Town Board.

J. Insurance

1. The Town shall name the RTC as an additional insured on its liability insurance policy in connection with RTC management of the Theatre. The policy shall have a minimum limit of three million dollars and 00/XX ($3,000,000.00) at all times.

2. The RTC shall maintain general liability insurance in the amount of Three Million ($3,000,000.00) Dollars in connection with this lease. The RTC's policy of insurance shall name the Town of Riverhead as an additional insured.

K. Fire Damage

1. RTC shall give the Town immediate notice of fire, vandalism or other damage to the Theatre. The Town will have the right to repair the damage within a reasonable time however, should the damage be substantial, such that it renders the structure unusable for the purposes of this agreement for a period in excess of three months, the Town may cancel this Agreement. If the Town repairs the damage and chooses not to cancel this agreement, then, in that event, the RTC's obligation to pay pursuant to paragraph 2(a) of this agreement shall be suspended, per diem, from the time the premises become unusable to the time they become usuable again. RTC shall commence payment when the Theatre becomes usable.

L. Defaults

1. The Town may give thirty (30) days written notice to RTC to correct any default including but not limited to:

a. Failure to pay the fees required hereunder;
b. Failure to keep the Theatre clean and, with respect to those items for which RTC is responsible, in good repair;

2. If RTC fails to correct the noticed default within thirty (30) days, the Town may at the Town's sole discretion: a) cancel the Agreement by giving RTC a written thirty (30) day notice stating the date upon which the term will end and on that date RTC must remove from the Theatre, or, b} correct the noticed default at RTC' expense said cost to be added to the charge provided for at subpart B(2)(a} of this Agreement when such charge is next due.

M. Severability

1. In the event that any provision herein is deemed to be illegal or unenforceable, the remainder of this Agreement shall be enforceable and remain in full force and effect.

N. No Waiver

1. Either party's failure to enforce any terms of this lease shall not prevent such party from enforcing such terms at a later time.

O. Government Funding

- RTC acknowledges that the Theatre was or may be improved, in part, with funding or reimbursements from County, State and Federal agencies and RTC agrees to use the Theatre in a manner consistent with authorized general and special purposes of the grant. All such applications (funding, loan, grant or otherwise) shall be made with consultation with and the written approval of the RTC.

- Compliance with funding agency policies concerning nondiscrimination is required. RTC agrees to provide service without discrimination to all persons without regard to their age, race, color, religion, sex, handicap, or national origin. RTC must execute Assurance of compliance with Civil rights and other legal Requirement for Other Parties and does so by the signature below.

P. Renewals

Provided RTC is not in default under this Agreement, either at the time of the exercise of, or at the commencement of the renewal, the Town grants to RTC the exclusive option to extend the term of this Agreement from the date of termination of the initial term (five years after Opening Day) for Five years upon all the terms and conditions and provisions set forth in this Agreement, except that the monthly fees required to be paid under this Agreement by RTC shall be adjusted for inflation (COLA for NY-NJ SMSA). To exercise this option to renew, RTC shall give the Town

written notice of such exercise not less than one hundred eighty (180) days prior to the expiration of the term of this Agreement.

Q. Theatre Under Construction

RTC acknowledges the Theatre is under construction and certain adverse conditions exist and may exist at the commencement and during the term of this Agreement, which require that Contractors' and/or Town Personnel have access to the Theatre in order to complete work on the RKTB plan for the Theatre. RTC agrees to work within the Theatre with said contractors and personnel and shall hold harmless and indemnify the Town from any and all damages to RTC resulting from said work.

R. Ambiguities

Any ambiguities herein shall not be construed and interpreted against the drafter of this Agreement.

TOWN OF RIVERHEAD	RIVERHEAD THEATRE CORPORATION
By: _____	By: _____ ROBERT F. KOZAKIEWICZ Town Supervisor

TOWN OF RIVERHEAD

Resolution # 868

Adopted

ESTABLISHES COMMITTEE AND APPOINTS MEMBERS

Councilman Densieski offered the following resolution,

which was seconded by **Councilman Lull**

WHEREAS, the Town of Riverhead is expending a significant amount of money for maintenance purposes at Enterprise Park at Calverton (EPCAL); and

WHEREAS, under New York State Town Law, Section 64 (General Powers of Town Boards), Subsection 3 (Management, Custody, and Control of Town Property), the Town of Riverhead is authorized to establish a committee, the EPCAL Management Advisory Committee (MAC), to collect and analyze data and to report, in writing within 30 days, recommendations for alternative possibilities to safely manage the EPCAL property still owned and controlled by the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead believes that because of his knowledge of the Calverton site and town government, former Supervisor James R. Stark is qualified to act as chairman of EPCAL/MAC.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby establishes the Enterprise Park at Calverton/Management Advisory Committee (EPCAL/MAC); and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Riverhead appoints former Supervisor James R. Stark without compensation as chairman of

EPCAL/ MAC, and authorizes the Town Supervisor and Councilman Kent to appoint two additional members.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the chairman of EPCAL/MAC to gather necessary data possessed by the Town of Riverhead or its contract vendee.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to all town departments and Grubb & Ellis Management Corporation.

COUNCILMAN CARDINALE offered this resolution to be tabled, which was seconded by COUNCILMAN KENT.
THE VOTE: Densieski, no, Cardinale, yes, Kent, yes, Lull, no, Kozakiewicz, no.
THE RESOLUTION WAS THEREUPON DECLARED TO BE NOT TABLED.

COUNCILMAN KENT OFFERED THE RESOLUTION WITH AMENDMENTS, WHICH WAS SECONDED BY COUNCILMAN LULL.

THE VOTE: Densieski, yes, Cardinale, no Kent, yes, Lull, yes, Kozakiewicz, yes.

THE VOTE

e Resolution was upon declared to uly adopted as ended.

Cardinale ☐ Yes ☒ No Densieski ☒ Yes ☐ No

Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted as Amended

Adopted

09/19/00

TOWN OF RIVERHEAD

Resolution # 869

APPOINTS PROVISIONAL ACCOUNT CLERK TYPIST IN COMMUNITY DEVELOPMENT

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

WHEREAS, there is a vacancy in the Community Development Office, and

WHEREAS, the Suffolk County Department of Civil Service has notified the Town of Riverhead that the Account Clerk Typist List #00A-247 has been exhausted, and thereby the Department has approved a provisional appointment; and

WHEREAS, the position was duly posted, applicants have been interviewed and a recommendation was made to the Town Board Personnel Committee; and

NOW, THEREFORE, BE IT RESOLVED, that effective September 25, 2000 the Town Board hereby appoints Joy Clifford to the provisional position of Account Clerk Typist on Group 9 Step P of the Clerical and Supervisory 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 Joy Clifford, Community Development Office, and the Office of Accounting.

THE VOTE

Densleski ___ Yes ✓ No Cardinale ✓ Yes ___ No
Kent ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY ADOPTED

Adopted

9/19/00

TOWN OF RIVERHEAD

Resolution # 870

DENIES SPECIAL PERMIT APPLICATION OF AGRI-BUSINESS CHILD DEVELOPMENT; A/K/A/ GRACE'S PLACE

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

WHEREAS, an application was submitted to the Town Board for a pursuant to §§ 108-3 and 108.15.C(1) for a special use permit to operate a day care center on property located on Doctor's Path, Riverhead by Agri-Business Child Development; a/k/a Grace's Place. The subject property (SCTM# 0600-65-4-15) is located within the Residence C zoning District, and,

WHEREAS, a public hearing on the Special Permit application was held on the 20th day of June, 2000, and

WHEREAS, the testimony heard at the public hearing showed that the proposed use of the property as a day care center failed to meet the criteria of Riverhead Town Code §108-3, thus the Town Board of the Town of Riverhead hereby finds as follows:

1. the use will prevent or substantially impair the reasonable and ordinary use and development of the property as a residential in conformity with the zoning. The area in which this large day care center, serving approximately seventy (70) preschool age children, is proposed is a densely populated residential neighborhood. The development as a day care center of this size will impair the residential character of the neighborhood by introducing a commercial operation into it. The introduction of such a commercial use will most likely have a negative impact upon local property values.

2. the disadvantages to the neighborhood from the location of the use at the property outweigh the advantage to be gained by the Town or neighborhood in that the increased commercial traffic of service and/or delivery vehicles including buses delivering children to the site, food service delivery, waste disposal, and other types of traffic including that created by staff and visitors will have a negative impact upon the residential character of the existing neighborhood. Since the day care center will service children from areas outside the Town, these disadvantages outweigh any advantages provided to the community or the town.

3. the health, safety, comfort, convenience and order of the Town will be adversely effected if a large day care center is permitted to locate at this location. The increased commercial traffic and other traffic introduced into the neighborhood will create safety problems for the large number of children living in the area thus creating a negative change in the community.

NOW, THEREFORE, BE IT

RESOLVED, that the Special Permit application of Agri-Business Child Development; a/k/a Grace's Place on property located at Doctor's Path, Riverhead, New York (SCTM# 0600-65-4-15), be and is hereby denied by the Town Board of the Town of Riverhead; and be it further, and be it further;

RESOLVED, that the Town Clerk be and hereby is authorized to forward a certified copy of this resolution to James Matthews, Esq. and the Town Clerk of the Town of Riverhead.

THE VOTE

Densleski ✓ Yes ___ No Cardinale ✓ Yes ___ No
Kent ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No
THE RESOLUTION WAS ✗ WAS NOT ___
THEREUPON DULY ADOPTED

SEPTEMBER 19, 2000

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 871

COUNCILMAN KENT offered the following resolution ,

which was seconded by COUNCILMAN DENSIESKI

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

		FROM:
001.000000.541150	CONTROL OF DOGS, BLDG REPAIRS	$250.
001.035100.542504	CONTROL OF DOGS, CLEANING SUPPLIES	789.
001.035100.542400	CONTROL OF DOGS, UNIFORMS	200.
001.035100.542251	CONTROL OF DOGS, DOG FOOD	2,000.

		TO:
001.035100.549000	**CONTROL OF DOGS, MISC. EXPENSE**	**$989.**
001.035100.543220	**CONTROL OF DOGS, VET SERVICES**	**1,750.**
001.035100.546100	**CONTROL OF DOGS, TELEPHONE**	**100.**
001.035100.546303	**CONTROL OF DOGS, GASOLINE**	**400.**

		FROM:
001.031200.524350	POLICE, LAW LIBRARY	$125.

		TO:
001.031200.542802	**POLICE, SUPPLEMENTAL LAW BOOKS**	**$125.**

		FROM:
001.031200.542115	POLICE, COPY MACHINE SUPPLIES	$2,000.

		TO:
001.031200.542318	**POLICE, K-9 EXPENSE**	**$1,500.**
001.031200.524380	**POLICE, MISC. OFFICE EQUIPMENT**	**500.**

SEPTEMBER 19, 2000

GENERAL FUND BUDGET RESOLUTION CONTINUED:

		FROM:
001.031200.545210	POLICE, COPY MACHINE RENTAL EXPENSE	$475.
001.031200.524340	POLICE, FILE CABINET EXPENSE	75.
001.031200.542305	POLICE, FLASHLIGHTS BATTERY EXPENSE	90.
001.031200.542302	POLICE, TEAR GAS SUPPLIES	25.
001.031200.542307	POLICE, ROAD FLARE EXPENSE	25.

		TO:
001.031200.524380	**POLICE, MISC. OFFICE EQUIPMENT**	**$690.**

		FROM:
001.031250.542112	J.A.B. PROGRAMS	$235.

		TO:
001.031250.524000	**J.A.B. EQUIPMENT**	**$235.**

		FROM:
001.031200.524910	POLICE, HAZMAT EQUIPMENT	$4,300.

		TO:
001.031200.542308	**POLICE, OXYGEN EXPENSE**	**$250.**
001.031200.543940	**POLICE, INTERPRETER FEES**	**2,500.**
001.031200.542600	**POLICE, PRINTING EXPENSE**	**350.**
001.031200.524380	**POLICE, MISC. OFFICE EXPENSE**	**1,200.**

THE VOTE

Cardinale ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

September 19, 2000

STATUS Adopted

TOWN OF RIVERHEAD

Resolution # 872

RE-ESTABLISHES AGRICULTURAL ADVISORY BOARD AND REAPPOINTS MEMBERS TO THE BOARD

Councilman Densieski offered the following resolution,

which was seconded by **Councilman Lull**

WHEREAS, the Town Board of the Town of Riverhead established an Agricultural Advisory Board and appointed six members on May 7, 1996 by Town of Riverhead Resolution 361-1996 to act as liaison between the Town of Riverhead and the Long Island Farm Bureau; and

WHEREAS, it is the intent of the Town Board of the Town of Riverhead to preserve the rural character of its agricultural community; and

WHEREAS, the Town Board of the Town of Riverhead believes it is in the best interest of the residents of the Town of Riverhead to re-establish an Agricultural Advisory Board to help deal with the concerns and issues confronting or impacting the agricultural community.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead does and hereby re-establishes the Riverhead Agricultural Advisory Board; and

BE IT FURTHER, RESOLVED, that the following be appointed as members to the Riverhead Agricultural Advisory Board:

Sup/jml/091900/ag advisory board

Lyle C. Wells
Lou Caracciolo, Jr.
Henry Talmage
Doug Corwin
Jacob Rottkamp
Phil Schmitt III

BE IT FURTHER RESOLVED, that Councilman Ed Densieski be and is hereby designated as the Town Board liaison to the Agricultural Advisory Board; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to each of the above-named board members, and the Town Planning Department.

THE VOTE

Cardinale ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

Sup/jml/091900/ag advisory board

Adopted

September 19, 2000

TOWN OF RIVERHEAD

RESOLUTION# 873

AUTHORIZATION TO PUBLISH BID FOR FOUR WHEEL DRIVE SPORT UTILITY VEHICLE

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

WHEREAS, that the Town of Riverhead has been approved for a grant from the U.S. Department of Justice to be used for Local Law Enforcement purposes in the amount of $ 39,090 with a local match of $ 4,343.

WHEREAS, That the LLEBG Advisory Board has agreed with the recommendation of Chief Grattan that these funds be used to purchase a Four Wheel Drive Sport Utility Vehicle for used by the Patrol Sergeants.

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of a **FOUR WHEEL DRIVE SPORT UTILITY VEHICLE .** for use by the Town of Riverhead Police Department and this following public notice in the **September 28, 2000** issue of the News Review.

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

THE VOTE

Densieski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ NoUll ✓ 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 **A 2001 4 WHEEL DRIVE SPORT UTILITY VEHICLE** for use by the TOWN OF RIVERHEAD POLICE DEPARTMENT will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m.** on **October 6th, 2000.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR A 2001 FOUR WHEEL DRIVE SPORT UTILITY VEHICLE.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

RESOLUTION # 874 ABSTRACT #38-00 SEPTEMBER 7, 2000 (TBM 9/19/00) 1365

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

FUND NAME		CD-8/31/00	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	$ 650,000.00	$ 446,389.74	$ 1,096,389.74
PARKING METER	002	$ 2,000.00	$ -	$ 2,000.00
AMBULANCE	003	$ 14,000.00	$ -	$ 14,000.00
POLICE ATHLETIC LEAGUE	004	$ 9,500.00	$ 2,742.27	$ 12,242.27
TEEN CENTER	005	$ 5,500.00	$ -	$ 5,500.00
RECREATION PROGRAM	006	$ 25,000.00	$ 11,105.11	$ 36,105.11
SR NUTRITION SITE COUNCIL	007	$ 1,200.00	$ -	$ 1,200.00
D.A.R.E. PROGRAM FUND	008	$ 500.00	$ -	$ 500.00
CHILD CARE CENTER BUILDING FUND	009	$ 25,000.00	$ 1,381.96	$ 26,381.96
AG-FEST COMMITTEE FUND	021	$ -	$ -	$ -
YOUTH COURT SCHOLARSHIP FUND	025	$ 250.00	$ -	$ 250.00
SRS DAYCARE BUILDING FUND	027	$ -	$ 2,243.97	$ 2,243.97
COMMUNITY P.E.T.S. SHELTER	028	$ -	$ -	$ -
EDZ FUND	030	$ -	$ 1,608.29	$ 1,608.29
HIGHWAY	111	$ 525,000.00	$ 114,341.70	$ 639,341.70
WATER	112	$ 90,000.00	$ 30,876.09	$ 120,876.09
REPAIR & MAINTENANCE	113	$ 475,000.00	$ -	$ 475,000.00
RIVERHEAD SEWER DISTRICT	114	$ 500,000.00	$ 18,446.14	$ 518,446.14
REFUSE & GARBAGE COLLECTION	115	$ 40,000.00	$ 3,766.37	$ 43,766.37
STREET LIGHTING	116	$ 150,000.00	$ 6,008.33	$ 156,008.33
PUBLIC PARKING	117	$ 55,000.00	$ 1,366.50	$ 56,366.50
BUSINESS IMPROVEMENT DISTRICT	118	$ 20,000.00	$ 4,452.41	$ 24,452.41
TOR URBAN DEV CORP TRUST ACCT	119	$ -	$ -	$ -
AMBULANCE DISTRICT	120	$ 125,000.00	$ 7.92	$ 125,007.92
CALVERTON SEWER DISTRICT	124	$ 60,000.00	$ 1,601.71	$ 61,601.71
WORKER'S COMPENSATION FUND	173	$ 500,000.00	$ -	$ 500,000.00
HOSPITALIZATION SELF INSURANCE	174	$ -	$ -	$ -
RISK RETENTION FUND	175	$ 725,000.00	$ -	$ 725,000.00
UNEMPLOYMENT INSURANCE FUND	176	$ 6,000.00	$ -	$ 6,000.00
MAIN STREET REHAB PROGRAM	177	$ -	$ -	$ -
REVOLVING LOAN PROGRAM	178	$ -	$ -	$ -
RESIDENTIAL REHAB	179	$ -	$ -	$ -
DISCRETIONARY/SMALL CITIES	180	$ -	$ -	$ -
CDBG CONSORTIUM ACCOUNT	181	$ -	$ 707.86	$ 707.86
URBAN DEVEL CORP WORKING	182	$ -	$ -	$ -
RESTORE	184	$ -	$ -	$ -
PUBLIC PARKING DEBT	381	$ -	$ -	$ -
SEWER DISTRICT DEBT	382	$ 25,000.00	$ -	$ 25,000.00
WATER DEBT	383	$ 500,000.00	$ -	$ 500,000.00
GENERAL FUND DEBT SERVICE	384	$ -	$ 497,712.00	$ 497,712.00
SCAVENGER WASTE DEBT	385	$ 45,000.00	$ -	$ 45,000.00
COMM DEVEL AGENCY CAP PROJECT	405	$ -	$ -	$ -
TOWN HALL CAPITAL PROJECTS	406	$ -	$ 42,248.83	$ 42,248.83
EIGHT HUNDRED SERIES	408	$ -	$ -	$ -
WATER IMPROVEMENT CAP PROJ	409	$ -	$ -	$ -
NUTRITION CAPITAL IMPS	441	$ -	$ -	$ -
CHIPS	451	$ 175,000.00	$ -	$ 175,000.00
YOUTH SERVICES	452	$ -	$ 1,768.01	$ 1,768.01
SENIORS HELPING SENIORS	453	$ -	$ 1,764.46	$ 1,764.46
EISEP	454	$ -	$ 1,008.15	$ 1,008.15
SCAVENGER WASTE CAP PROJ	470	$ -	$ -	$ -
MUNICIPAL FUEL FUND	625	$ 225,000.00	$ 11,509.99	$ 236,509.99
MUNICIPAL GARAGE	626	$ 12,000.00	$ 8,055.57	$ 20,055.57
TRUST & AGENCY	735	$ -	$ 563,979.57	$ 563,979.57
SPECIAL TRUST	736	$ 650,000.00	$ -	$ 650,000.00
COMMUNITY PRESERVATION FUND	737	$ 100,000.00	$ -	$ 100,000.00
CDA-CALVERTON	914	$ -	$ 72,261.50	$ 72,261.50
COMMUNITY DEVELOPMENT AGENCY	915	$ -	$ -	$ -
JOINT SCAVENGER WASTE	918	$ -	$ 11,407.42	$ 11,407.42
CENTRAL CLEARING ACCOUNT	999	$ -	$ -	$ -
TOTALS		$ 5,735,950.00	$ 1,858,761.87	$ 7,594,711.87

Adopted

RESOLUTION # 874 ABSTRACT #39-00 SEPTEMBER 14, 2000 (TBM 9/19/00)

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

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	$ -	$ 160,434.23	$ 160,434.23
PARKING METER	002	$ -	$ 32.47	$ 32.47
AMBULANCE	003	$ -	$ -	$ -
POLICE ATHLETIC LEAGUE	004	$ -	$ 3,525.11	$ 3,525.11
TEEN CENTER	005	$ -	$ 180.00	$ 180.00
RECREATION PROGRAM	006	$ -	$ 1,250.20	$ 1,250.20
SR NUTRITION SITE COUNCIL	007	$ -	$ -	$ -
D.A.R.E. PROGRAM FUND	008	$ -	$ -	$ -
CHILD CARE CENTER BUILDING FUND	009	$ -	$ -	$ -
AG-FEST COMMITTEE FUND	021	$ -	$ -	$ -
YOUTH COURT SCHOLARSHIP FUND	025	$ -	$ -	$ -
SRS DAYCARE BUILDING FUND	027	$ -	$ -	$ -
COMMUNITY P.E.T.S. SHELTER	028	$ -	$ 280.00	$ 280.00
EDZ FUND	030	$ -	$ -	$ -
HIGHWAY	111	$ -	$ 29,737.40	$ 29,737.40
WATER	112	$ -	$ 12,316.69	$ 12,316.69
REPAIR & MAINTENANCE	113	$ -	$ -	$ -
RIVERHEAD SEWER DISTRICT	114	$ -	$ 16,383.29	$ 16,383.29
REFUSE & GARBAGE COLLECTION	115	$ -	$ 1,646.14	$ 1,646.14
STREET LIGHTING	116	$ -	$ 2,594.05	$ 2,594.05
PUBLIC PARKING	117	$ -	$ 2,982.69	$ 2,982.69
BUSINESS IMPROVEMENT DISTRICT	118	$ -	$ 510.29	$ 510.29
TOR URBAN DEV CORP TRUST ACCT	119	$ -	$ -	$ -
AMBULANCE DISTRICT	120	$ -	$ 88,234.99	$ 88,234.99
CALVERTON SEWER DISTRICT	124	$ -	$ 4,996.63	$ 4,996.63
WORKER'S COMPENSATION FUND	173	$ -	$ 2,005.96	$ 2,005.96
HOSPITALIZATION SELF INSURANCE	174	$ -	$ -	$ -
RISK RETENTION FUND	175	$ -	$ 227.32	$ 227.32
UNEMPLOYMENT INSURANCE FUND	176	$ -	$ -	$ -
MAIN STREET REHAB PROGRAM	177	$ -	$ -	$ -
REVOLVING LOAN PROGRAM	178	$ -	$ -	$ -
RESIDENTIAL REHAB	179	$ -	$ -	$ -
DISCRETIONARY/SMALL CITIES	180	$ -	$ -	$ -
CDBG CONSORTIUM ACCOUNT	181	$ -	$ 328.32	$ 328.32
URBAN DEVEL CORP WORKING	182	$ -	$ -	$ -
RESTORE	184	$ -	$ -	$ -
PUBLIC PARKING DEBT	381	$ -	$ -	$ -
SEWER DISTRICT DEBT	382	$ -	$ -	$ -
WATER DEBT	383	$ -	$ 19,479.99	$ 19,479.99
GENERAL FUND DEBT SERVICE	384	$ -	$ 11,950.29	$ 11,950.29
SCAVENGER WASTE DEBT	385	$ -	$ -	$ -
COMM DEVEL AGENCY CAP PROJECT	405	$ -	$ -	$ -
TOWN HALL CAPITAL PROJECTS	406	$ -	$ 316,764.85	$ 316,764.85
EIGHT HUNDRED SERIES	408	$ -	$ -	$ -
WATER IMPROVEMENT CAP PROJ	409	$ -	$ -	$ -
NUTRITION CAPITAL IMPS	441	$ -	$ -	$ -
CHIPS	451	$ -	$ -	$ -
YOUTH SERVICES	452	$ -	$ 591.59	$ 591.59
SENIORS HELPING SENIORS	453	$ -	$ 42.42	$ 42.42
EISEP	454	$ -	$ -	$ -
SCAVENGER WASTE CAP PROJ	470	$ -	$ -	$ -
MUNICIPAL FUEL FUND	625	$ -	$ 5,392.94	$ 5,392.94
MUNICIPAL GARAGE	626	$ -	$ 6,836.86	$ 6,836.86
TRUST & AGENCY	735	$ -	$ 35,360.94	$ 35,360.94
SPECIAL TRUST	736	$ -	$ -	$ -
COMMUNITY PRESERVATION FUND	737	$ -	$ -	$ -
CDA-CALVERTON	914	$ -	$ 3,002.73	$ 3,002.73
COMMUNITY DEVELOPMENT AGENCY	916	$ -	$ -	$ -
JOINT SCAVENGER WASTE	918	$ -	$ 7,617.09	$ 7,617.09
CENTRAL CLEARING ACCOUNT	999	$ -	$ -	$ -
TOTALS		$ -	$ 734,705.48	$ 734,705.48

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

00.ABSTRACT.JLG

Adopted

1607

9/19/00

TOWN OF RIVERHEAD

Resolution # 875

ADOPTS A LOCAL LAW ENTITLED, "LOCAL LAW TO CHANGE THE TERM OF OFFICE OF THE TOWN CLERK AND HIGHWAY SUPERINTENDENT FROM 2 YEARS TO 4 YEARS"

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law entitled, "Local Law to Change the Term of Office of the Town Clerk and the Highway Superintendent from 2 years to 4 years"; and

WHEREAS, a public hearing was held on the 19th day of September, 2000, at 2:20 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law entitled, "Local Law to Change the Term of Office of the Town Clerk and the Highway Superintendent from 2 years to 4 years", is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

Densleski ✓ Yes ___ No Cardinale ✓ Yes ___ No

Kent ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY ADOPTED

D:\Laura\reso\clerk&highway.res.doc

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law entitled, "Local Law to Change the Term of Office of the Town Clerk and the Highway Superintendent from 2 years to 4 years", at its regular meeting held on September 19, 2000.

Section 1. The term of office of the Town Clerk shall be 4 years.
The term of office of the Highway Superintendent shall be 4 years.

Section 2. This local law shall supercede section twenty-four of the Town Law, insofar as it is inconsistent with such section.

Section 3. A proposition for the approval of this local law shall be submitted to the electors of the Town of Riverhead at the general election to be held in November, two thousand, and this local law shall become operative only if approved by the affirmative vote of a majority of the qualified electors voting upon such proposition.

Section 4. If this local law is approved by the affirmative vote of a majority of the qualified electors of the Town voting thereon at said general election, this local law shall become and be effective immediately.

Copies of said proposed local law are available at the Office of the Town Clerk to any interested person during regular business hours.

Dated: Riverhead, New York
September 18, 2000

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

D:\Laura\reso\clerk&highway.res.doc