

Barbara Grattan, Town Clerk

**TOWN BOARD MEETING
AGENDA
October 2nd, 2001**

ROBERT F. KOZAKIEWICZ, Supervisor

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

**Christopher Kent, Councilman
James Lull Councilman**

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

ELECTED OFFICIALS

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

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

DEPARTMENT HEADS

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

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

Call to Order and Salute to the Flag

Approves Minutes of Town Board Meeting of September 18th, 2001,
moved by Councilperson J. J. Jankowski, seconded
by Councilperson Jull.

SUPERVISOR OF THE DAY PETER KNOPP

REPORTS

Town Clerk: Monthly Report for September, 2001-
Total Collected: \$11,164.39

Sewer District Discharge Monitoring Report for August, 2001.

Police Dept.: Monthly report for July & August, 2001.

Receiver of Taxes: Utility Collections Report for Sept. 2001-Total Collected:
\$270,051.55

Open Bid Reports: Traffic Line Striping-Opened: 10/01/01 @11:05 a.m.
2 Bids were received

1. Traffic Lines, Inc.
2. Denville Line Painting (Results in Town Clerk's Office)

Pollution Prevention ReBid-Opened: 09/28/01
2 Bids were received

1. Jet-Line Products
2. Chem-Tainer (Results in Town Clerk's Office)

Budgets: Wading River Fire District
Jamesport Fire District

APPLICATIONS

Site Plans:

Riverhead Commerce Park LLC-Construct new office bldg.
Tunis Motel-Build 89 room, three story motel
Riverhead Nursing Home-Addition to existing parking lot.
East End Wireless, Inc.-900 Reeves Avenue, Riverhead

COMMITTEE REPORTS

CORRESPONDENCE

Petition:

John Zoumas-to have water to two lots on Twomey Ave.

Meadowcrest III Homeowners

Association:

30 Names on a petition against Motor Sports.

Milton J. Tyte:

Letter of resignation

PUBLIC HEARINGS

7:05 p.m. The Consideration of a Local Law to repeal and replace Chapter 45 entitled, "Alarm Systems" of the Town Code.

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

#21 Authorizes Chairman to Execute Extension Agreement with the NTSB

Regular Town Board Meeting:

#1010 Authorize Supervisor to Request New York State Speed Zone Change (Church Lane)

#1011 Authorize Supervisor to Request New York State Speed Zone Change (Mill Road)

#1012 Authorize Supervisor to Request New York State Speed Zone Change (Sound Avenue)

#1013 Appoints Justice Court Clerk (T. Brooks)

#1014 Adopts a Local Law to Amend Chapter 108, Subsection 108-60 Entitled, "Off-street Parking" of the Code of the Riverhead Town Code

#1015 Authorizes the Supervisor to Execute an Order on Consent of the New York State Department of Environmental Conservation (Reporting of Pesticides)

#1016 Authorizes Publishing and Posting of Notice to Bidders for Sidewalk Project

#1017 Authorizes Town Clerk to Publish and Post Notice for Public Hearing Regarding Community Development Block Grant (CDBG) Funds

#1018 Awards Bid for Pollution Prevention

#1019 Authorizes the Establishment of a Petty Cash Account

#1020 Refuse & Garbage District Budget Adjustment

#1021 2001 Pollution Prevention Project Budget Adoption

#1022 General Fund Budget Adjustment

#1023 Oak Drive/Northville Turnpike Water Extension Capital Project Budget Adjustment

#1024 Landfill Capping & Closure Capital Project Budget Adjustment

#1025 Authorizes Supervisor to Execute Budget Transfer

- #1026** Authorizes Supervisor to Execute Budget Transfer
- #1027** Gully Road Wading River Resurfacing Capital Project Budget Adoption
- #1028** Washington Avenue Jamesport Resurfacing Capital Project Budget Adoption
- #1029** 2001 Sound Avenue Phase I Resurfacing Capital Project Budget Adoption
- #1030** Rescinds Resolution #959 of 2001 for Sellpan Enterprises, LTD.
- #1031** Approves Application of American Diabetes Association (Tour De Cure)
- #1032** Accepts Performance Bond of Sound Housing, LLC.
- #1033** Accepts Performance Bond of Sound Avenue Company LLC (Silver Village)
- #1034** Accepts Performance Bond of Sound Housing, LLC
- #1035** Accepts Performance Bond of Sound Housing, LLC
- #1036** Accepts Irrevocable Letter of Credit of Suffolk County National Bank
- #1037** Releases Irrevocable Letters of Credit (2) of Manzi Homes (Meadowcrest- Section III)
- #1038** Order Extending Calverton Sewer District Calverton Business Incubator
- #1039** Accepts Resignation of Crossing Guard
- #1040** Accepts Offer of Development Rights (Benny Gatz)
- #1041** Authorizes Town Clerk to Publish and Post Public Notice in Connection with Individualized Residential Alternative for the Developmentally Disabled (Independent Group Home Living Program, Inc.)
- #1042** Authorization to Discard Fixed Assets
- #1043** Authorizes Attendance of Assessor at Meeting
- #1044** Changes Employment Status of Deputy Town Attorney

- #1045** Ratifies Appointment of a Part Time Recreation Aide to the Riverhead Recreation Department
- #1046** Appoints Assistant Recreation Leaders for the Go Girls Title V Programs
- #1047** Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Economic Development Zone Coordinator to Promote Industrial Development at the EPCAL Site
- #1048** Awards Bid for Traffic Line Striping
- #1049** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Proposed Local Law Entitled, "Moratorium on Residential Development"
- #1050** Corrects Bid Opening Date on Resolution #1002 of 2001 and Authorizes the Town Clerk to Publish and Post a Notice to Bidders for ONAN/CUMMINS Gen Set, Model 60ENA Generator
- #1051** Adopts Finding Statement Supporting the Special Permit Petition of Headriver, LLC.
- #1052** Pays Bills
- #1053 Directs the Supervisor to Take Specified Action Regarding Cablevision Franchise Agreement

10/2/01

Adopted

Town of Riverhead Community Development Agency

Resolution # 21

Authorizes Chairman to Execute Extension Agreement with the NTSB

Member

COUNCILMAN LULL

offered the following resolution,

which was seconded by Member

COUNCILMAN DENSIESKI

WHEREAS, the CDA entered into a lease with the NTSB on September 10, 1998 for space in Plant 6 to accommodate the investigation and reconstruction of the TWA Flight 800 aircraft; and

WHEREAS, the CDA executed an Amendment to said lease agreement with the NTSB on August 2, 1999 to accommodate the relocation of the reconstruction to Plant 7 for storage; and

WHEREAS, the NTSB has requested the extension of said lease agreement pursuant to the attached extension letter from September 1, 2001 through the sooner of October 20, 2001 or closing of real estate transaction between the CDA and Calverton Camelot, LLC., according to the terms and conditions of the Lease and Amendment.

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Chairman to execute a letter substantially in the form attached hereto for the period September 1, 2001 through October 20, 2001.

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

The Vote:

- Member Densieski
- Member Cardinale
- Member Kent
- Member Lull
- Chairman Kozakiewicz

Yes
 Yes
 Yes
 Yes
 Yes

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

Proposed Letter Agreement for Calverton Hangar:

September 21, 2001

It is in the interest of the National Transportation Safety Board ("NTSB") and the Town of Riverhead Community Development Agency ("Riverhead") to continue the terms of their agreements related to the southwest portion of Plant 7 at the former Naval Weapons Industrial Reserve Plant (the "Premises"), while the ownership interests of the Premises are resolved.

The parties agree to continue the terms of the Lease, executed in September 1998, and Amendment to Lease, executed in August 1999, from August 31 through September 30, 2001 (the "interim period").

The Rent and Estimated Services Amount for this interim period are Thirty-three Thousand One Hundred and Fifty-Eight Dollars (\$33,158.00), which are due and payable upon receipt and agreement by the NTSB of this letter agreement.

If the interim period extends beyond September 30, 2001, but not later than October 20, 2001, the Rent and Estimated Services Amount will be pro-rated by day under the same terms listed above for the actual period occupied. If the period extends beyond October 20, 2001, the Rent will change to the terms of the May 9, 2001 correspondence between Riverhead and the NTSB. There will be no Estimated Services Amount charged after October 20, 2001.

All other terms of the Lease and Amendment to Lease remain unchanged and in effect for this interim period.

Adopted

TOWN OF RIVERHEAD

Resolution # 1010

Authorize Supervisor To Request
New York State Speed Zone Change

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

WHEREAS, numerous residents along Church Lane in Riverhead have requested that the Town of Riverhead reduce the speed zone for traffic vehicles from 40 miles per hour to 30 miles per hour; and

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

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

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution and State Form TE-9-A to the New York State Department of Transportation, the Suffolk County Department of Public Works, the Riverhead Town Police Department, the Riverhead Department of Highways and Councilman Jim Lull (liaison to the Riverhead Highways Committee).

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

Date 10/02/01

Adopted**TOWN OF RIVERHEAD****Resolution # 1011****Authorize Supervisor To Request
New York State Speed Zone Change**

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

WHEREAS, numerous residents along Mill Road in Riverhead have requested that the Town of Riverhead reduce the speed zone for traffic vehicles from 40 miles per hour to 30 miles per hour; and

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

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

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution and State Form TE-9-A to the New York State Department of Transportation, the Suffolk County Department of Public Works, the Riverhead Town Police Department, the Riverhead Department of Highways and Councilman Jim Lull (liaison to the Riverhead Highways Committee).

THE VOTECardinale Yes NoDensieski Yes NoKent Yes NoLull Yes NoKozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Date 10/02/01

Adopted**TOWN OF RIVERHEAD****Resolution # 1012****Authorize Supervisor To Request
New York State Speed Zone Change**

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

WHEREAS, numerous residents along Sound Avenue in Riverhead have requested that the Town of Riverhead reduce the speed zone for traffic vehicles from 45 miles per hour to 30 miles per hour; and

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

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

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution and State Form TE-9-A to the New York State Department of Transportation, the Suffolk County Department of Public Works, the Riverhead Town Police Department, the Riverhead Department of Highways and Councilman Jim Lull (liaison to the Riverhead Highways Committee).

THE VOTECardinale Yes NoDensieski Yes NoKent Yes NoLull Yes NoKozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

October 2, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1013

APPOINTS JUSTICE COURT CLERK

COUNCILMAN LULL

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

WHEREAS, a vacancy exists at the Justice Court for the position of Justice Court Clerk; and

WHEREAS, the Town has received a Certified List of Eligibles #01A-523 from the Suffolk County Department of Civil Service and all the willing candidates were interviewed, and

WHEREAS, interviews have been conducted and it is the recommendation of the Personnel Committee that Tina Brooks be appointed to said position; and

NOW, THEREFORE, BE IT RESOLVED, that effective October 22, 2001, the Town Board hereby appoints Tina Brooks to the position of Justice Court Clerk, Group 11, Step 3 of the Clerical and Supervisory Salary Schedule.

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

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

October 2, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1014

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108, SUBSECTION 108-60 ENTITLED "OFF-STREET PARKING" OF THE CODE OF THE TOWN OF RIVERHEAD

~~COUNCILMAN LULL~~ offered the following resolution, was seconded by

~~COUNCILMAN SANDWILE~~

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108, subsection 108-60 entitled, "Off-street Parking" of the Code of the Town of Riverhead; and

WHEREAS, a public hearing was held on the 18th day of September, 2001 at 2:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 108, subsection 108-60 entitled, "Off-street Parking" 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 Fire Marshall; Planning Department; Building Department and the Office of the Town Attorney.

THE VOTE
Densieski Yes ___ No ___ Cardinal Yes ___ No ___
Kent Yes ___ No ___ Lull Yes ___ No ___
Kozaklewicz ___ Yes ___ No ___
THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108, subsection 108-60 entitled, "Off-street Parking" of the Riverhead Town Code at its regular meeting held on October 2, 2001 as follows:

§ 108-60. Off-street parking.

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

(5) Access for emergency vehicles.

a. In the design of any business or industrial parking lot or parking area, at least one emergency access way from the public road to the area designated as the "primary fire fighting surface" for the proposed buildings shall be provided which use the following minimum vertical and horizontal clearances. Said Emergency Vehicle access ways shall be shown on the required site plan and/or building elevations, which accompany any site plan.

Minimum outside turning radius – fifty (50) feet

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

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

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

b. The site plan and/or building elevations shall show the appropriate "primary fire fighting surface" to any proposed business or industrial buildings and designate same as a "Fire Lane – No Parking" zone. An applicant for a business or industrial site plan shall submit a site plan with such emergency access way shown.

c. The minimum requirements stated in §108-60 E(5)a. may be reduced by written application to the Town Board. Said application for relief shall be accompanied by the following:

1. Description of the relief sought.
2. Hardship to the applicant.
3. Report and recommendations of the Town Fire Marshal.

Dated: Riverhead, New York

October 2, 2001

I:\Sean\Resolutions\Adopt amend chapter 108-60.doc

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

10/2/01

Adopted

Town of Riverhead

Resolution # 1015

AUTHORIZES THE SUPERVISOR TO EXECUTE AN ORDER ON CONSENT OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (REPORTING OF PESTICIDES)

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN CARDINALE :

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an Order on Consent of the New York State Department of Environmental Conservation; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor; Kenneth Testa, P.E.; the Office of the Town Attorney and the Office of Accounting.

THE VOTE

Densieski Yes ___ No ___ Cardinale Yes ___ No ___

Kent Yes ___ No ___ Kull Yes ___ No ___

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED

10/2/01

Town of Riverhead

Adopted

Resolution # 1016

Authorizes Publishing and Posting of Notice to Bidders for Sidewalk Project

Councilman

~~COUNCILMAN~~ ~~TESTE~~

offered the following resolution,

which was seconded by

Councilman

~~COUNCILMAN~~ DENSIESKI

WHEREAS, the Town of Riverhead Community Development Department obtained several grants for the beautification of the downtown area and sidewalk improvements on Second Street and Griffing Avenue, specifically.

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes the Town Clerk to publish and post the attached notice to bidders in the Thursday, October 11, 2001 issue of the News Review and to post same on the signboard in Town Hall.

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

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Kull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

NOTICE TO BIDDERS

Sealed proposals for the DOWNTOWN BEAUTIFICATION PROJECT OF THE TOWN OF RIVERHEAD, specifically for the 2nd STREET AND GRIFFING AVENUE SIDEWALK IMPROVEMENTS, will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 2:00 pm prevailing time on November 9, 2001, at which time and place they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained, on or about October 18, 2001, at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

A refundable deposit of \$100.00 will be required for each copy of the Contract Documents.

Each proposal must be submitted on the form provided and must be accompanied by a bid surety as stated in the Instructions to Bidders.

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

BY ORDER OF THE RIVERHEAD TOWN BOARD

Barbara A. Grattan, Town Clerk

Riverhead, NY 11901

Dated: October 11, 2001

10/2/01

Adopted

Town of Riverhead

Resolution # 1017

Authorizes Town Clerk to Publish and Post Notice for Public Hearing Regarding Community Development Block Grant (CDBG) Funds.

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

WHEREAS, the Town of Riverhead has an ongoing CDBG Program and plans to prepare an application for CDBG Funds for Fiscal Year 2002; and

WHEREAS, the Town wishes to solicit comments from the public with regard to the development of said application; and

WHEREAS, the public hearing has been scheduled for comment on November 7, 2001; and

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice of public hearing as a legal advertisement in the Thursday, October 25, 2001, issue of the News-Review and to post same on the signboard in Town Hall.

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

THE VOTE

Densieski Yes No Cardinals Yes No
 Kent Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
PUBLIC NOTICE

Please take notice that a public hearing will be held on the 7th day of November, 2001, at 2:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the development of the Town of Riverhead's Community Development Block Grant Application for Fiscal Year 2002

Eligible categories for Community Development funding include:

1. Acquisition and demolition of Real Property;
2. Public Facilities and Improvements;
3. Housing Rehabilitation;
4. Historical Preservation;
5. Public Water or Sewer Projects;
6. Removal of Architectural Barriers;
7. Administration Activities

The hearing will provide citizens of the Town of Riverhead the opportunity to comment upon the development of the proposed application as well as the performance of any active Community Development Block Grant. Further information concerning the Community Development Program can be obtained at Riverhead Town Hall, Community Development Office, 200 Howell Avenue, Riverhead, NY 11901, (631) 727-3200 ext. 287.

A County-wide public hearing will be scheduled at a later date for final review and comments on the overall Community Development Department Program prior to submission to the United State Department of Housing and Urban and Development.

Dated: October 2, 2001

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

BARBARA GRATTAN, TOWN CLERK

OCTOBER 2, 2001

STATUS

Adopted

TOWN OF RIVERHEAD

Resolution # 1018

AWARDS BID FOR EQUIPMENT FOR POLLUTION PREVENTION

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN LULL

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for EQUIPMENT FOR POLLUTION PREVENTION and ;

WHEREAS, bids were received, opened and read aloud on the 28th day of September, 2001 at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT

RESOLVED, that the bid for EQUIPMENT FOR POLLUTION PREVENTION ,be and hereby is, awarded to Jetline Products, Inc.for amounts on the attached list..

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jet-Line Products Inc., Community Development Director and the Purchasing 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

10/2/01

Adopted

TOWN OF RIVERHEAD

Resolution # 1019

AUTHORIZES THE ESTABLISHMENT OF A PETTY CASH-ACCOUNT

~~COUNCILMAN LULL~~

_____ offered the following resolution, was seconded by

~~COUNCILMAN DENSIESKI~~ :

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the establishment of a petty cash account for the Riverhead Building Department in the amount of One Hundred Dollars (\$100.00); and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Leroy Barnes, Jr., Building Department Administrator 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 LULY ADOPTED

OCTOBER 2, 2001

1894

Adopted

TOWN OF RIVERHEAD

Resolution # 1021

2001 POLLUTION PREVENTION PROJECT

BUDGET ADOPTION

COUNCILMAN DENSIESKI 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:

406.080900.492310.40096 N.Y.S. D.E.C. AID

FROM:
\$40,000.

406.080900.524000.40096 EQUIPMENT

TO:
\$40,000.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 1022

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:

001.082115.421098 PLANNING BOARD FEES **FROM:** \$40,000.

001.080200.543950 PLANNING DEPT., CONSULTANTS **TO:** \$20,000.
001.080200.543900 PLANNING, LAND PRESERVATION CONSULTANTS 20,000.

THE VOTE

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

OCTOBER 2, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1023

OAK DRIVE/NORTHVILLE TURNPIKE WATER EXTENSION

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN DENSIESKI 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:

406.083200.482220.30010	FROM:	
TRANSFER FROM REPAIR & MAINTENANCE		\$39,500.
	TO:	
406.083200.485500.30010	TRANSFER FROM CDBG	\$39,500.

THE VOTE

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

OCTOBER 2, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1024

LANDFILL CAPPING & CLOSURE

CAPITAL PROJECT

BUDGET ADJUSTMENT

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

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

FROM:

406.081600.491201.80001 LANDFILL REVENUE SHARING (sales tax) \$25,000.

TO:

406.081600.543500.80001 ENGINEERING EXPENSE \$25,000.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

10/2/01

TOWN OF RIVERHEAD

Resolution # 1025

ANIMAL SPAY & NEUTERING PROGRAM BUDGET
ADJUSTMENT

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

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

FROM:

029-099010-481028	Animal Shelter Donation Fund	\$1000
029-035100-543220	Professional Services, Vet Care	\$1000

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

10/2/01

TOWN OF RIVERHEAD

RESOLUTION NO. 1026

ANIMAL SHELTER DONATION FUND BUDGET ADJUSTMENT

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

BE IT RESOLVED that the Supervisor be and is hereby authorizes to establish the following budget transfer:

FROM:

028-092705-471000	Gifts & Donations	\$1000
028-035100-595029	Animal Spay & Neutering Fund	\$1000

THE VOTE

Densieski Yes No ~~_____~~ Yes No

Kent Yes No ~~_____~~ Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS ~~NOT~~ ~~NOT~~

THEREUPON DEEMED ADOPTED

OCTOBER 2, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1027

GULLY ROAD WADING RIVER RESURFACING

CAPITAL PROJECT

BUDGET ADOPTION

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:

406.051100.487451.45023	TRANSFER FROM LOCAL STREET & HIGHWAY FUND	FROM: \$15,000.
406.051100.541301.45023	ROAD RESURFACING	TO: \$15,000.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

OCTOBER 2, 2001

TOWN OF RIVERHEAD

Resolution # 1028

WASHINGTON AVE. JAMESPORT RESURFACING

CAPITAL PROJECT

BUDGET ADOPTION

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

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

406.051100.487451.45024	TRANSFER FROM LOCAL STREET & HIGHWAY FUND	FROM: \$10,000.
406.051100.541301.45024	ROAD RESURFACING	TO: \$10,000.

THE VOTE

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

Adopted

OCTOBER 2, 2001

TOWN OF RIVERHEAD

Resolution # 1029

2001 SOUND AVE PHASE I RESURFACING

CAPITAL PROJECT

BUDGET ADOPTION

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

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

406.051100.492245.45025	MULTI-MODAL 2000	FROM:
406.051100.487451.45025	TRANSFER FROM LOCAL STREET & HIGHWAY FUND	\$150,000.
		40,000.
406.051100.541301.45025	ROAD RESURFACING	TO:
		\$190,000.

THE VOTE

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

10/02/01

Adopted

TOWN OF RIVERHEAD

Resolution # 1030

RECINDS RESOLUTION # 959 OF 2001 FOR SELLPAN ENTERPRISES LTD.

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL

WHEREAS, Resolution #959 adopted by the Riverhead Town Board on September 18, 2001 authorized the release of a performance bond for Sellpan Enterprises LTD; and

WHEREAS, it has been determined that Sellpan Enterprises LTD has failed to produce a final Suffolk County Health Department approval letter for construction at Main Road, Aquebogue, New York Suffolk County Tax Map # 0600-085.00-001-010.01; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has advised that based upon the foregoing, the Certificate of Occupancy for said construction should not be released.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby rescinds Resolution #959 authorizing the release of the performance bond of Sellpan Enterprises LTD; and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Sellpan Enterprises LTD, Route 25, Riverhead, New York, Anthony J. Naples, 3070 Route 112, Medford, New York 11763, the Building Department; the Town Clerk 's Office and the Town Attorney's Office.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

10/2/01

Adopted

TOWN OF RIVERHEAD

Resolution # 1031

APPROVES APPLICATION OF AMERICAN DIABETES ASSOCIATION (TOUR DE CURE)

COUNCILMAN CARDINALE

offered the following resolution, was seconded by

COUNCILMAN DENSIESKI

WHEREAS, the American Diabetes Association has submitted an application for the purpose of conducting their annual Tour de Cure cycling fund-raiser to be held in the Grangebel Park, Riverhead, New York, between the hours of 6:00 a.m. and 3:00 p.m. on Sunday, June 9, 2002 (set up - 3:00 p.m. Saturday, June 8, 2002); and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of the American Diabetes Association for the purpose of conducting their annual Tour de Cure cycling fund-raiser to be held in the Grangebel Park, Riverhead, New York, between the hours of 6:00 a.m. and 3:00 p.m. on Sunday, June 10, 2002, (set up - 3:00 p.m. Saturday, June 8, 2002), is hereby approved; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the American Diabetes Association, Attn: Brigid-Ann DiBella, 150 Motor Parkway, Suite LL 40, Hauppauge, New York, 11788, Ken Testa, P.E. and the Riverhead Police Department.

THE VOTE

Densieski Yes ___ No ___ Cardinale Yes ___ No ___

Kent Yes ___ No ___ Lull Yes ___ No ___

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED

10/02/01

Adopted

TOWN OF RIVERHEAD

Resolution # 1032

ACCEPTS PERFORMANCE BOND OF SOUND HOUSING LLC

COUNCILMAN CARDINALE offered the following resolution,

which was seconded by COUNCILMAN KENT

WHEREAS, Sound Housing LLC has posted a Performance Bond in the sum of Nineteen Thousand Twenty One Dollars (\$19,021) representing the 5% site plan bond for the work at Building #11, Willow Pond Drive, Riverhead, Suffolk County Tax Map # 600-018.01-01-069.00 to 072.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Nineteen Thousand Twenty One Dollars (\$19, 021) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Sound Housing LLC, 200 West Main Street, Suite 102, Babylon, New York 11702, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Cardinale Yes No Densieski Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

10/02/01

TOWN OF RIVERHEAD

Resolution # 1033

ACCEPTS PERFORMANCE BONDS OF SOUND AVENUE COMPANY LLC (SILVER VILLAGE)

COUNCILMAN KENT offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI**

WHEREAS, Sound Avenue Company LLC has posted two Performance Bonds in the sums of Seven Thousand Five Hundred Thirty Six Dollars (\$7,536) and Seven Thousand Six Hundred Twenty Six Hundred Dollars (\$7,626) representing the 5% site plan bonds for Condo's #25/27 and 27/28 at West Lane, Aquebogue, New York, Suffolk County Tax Map # 600-045.00-011.03 & 020.00-02-006.00, pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said performance bonds and deems them to be sufficient in their form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bonds in the sum of Seven Thousand Five Hundred Thirty Six Dollars (\$7,536) and Seven Thousand Six Hundred Twenty Six Dollars (\$7,626) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, PO Box 779, Riverhead, New York 11901, Sound Avenue Company LLC, 645 Patchogue Yaphank Road, Medford, New York 11763, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Cardinale Yes No Densieski Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

10/02/01

Adopted

TOWN OF RIVERHEAD

Resolution # 1034

ACCEPTS PERFORMANCE BOND OF SOUND HOUSING LLC (STP)

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, Sound Housing LLC has posted a Performance Bond in the sum of Sixty Thousand Dollars (\$60,000) representing the 5% site plan bond for the work at the Sewer Treatment Plant, Willow Pond Drive, Riverhead, Suffolk County Tax Map # 600-018.00-01-013.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Sixty Thousand Dollars (\$60,000) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Sound Housing LLC, 200 West Main Street, Suite 102, Babylon, New York 11702, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

10/02/01

Adopted

TOWN OF RIVERHEAD

Resolution # 1035

ACCEPTS PERFORMANCE BOND OF SOUND HOUSING LLC

~~COUNCILMAN~~ CARDINALE

offered the following resolution,

which was seconded by

~~COUNCILMAN~~ LULL

WHEREAS, Sound Housing LLC has posted a Performance Bond in the sum of Twenty Four Thousand Five Hundred Forty Four Dollars (\$24,544) representing the 5% site plan bond for the work at Building #15, Willow Pond Drive, Riverhead, Suffolk County Tax Map # 600-018.01-01-087.00 to 092.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Twenty Four Thousand Five Hundred Forty Four Dollars (\$24, 544) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Sound Housing LLC, 200 West Main Street, Suite 102, Babylon, New York 11702, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

TOWN OF RIVERHEAD

Resolution #1036

ACCEPTS IRREVOCABLE LETTER OF CREDIT OF SUFFOLK COUNTY NATIONAL BANK

~~COUNCILMAN LULL~~

offered the following resolution,

which was seconded by

~~COUNCILMAN KENT~~

WHEREAS, Suffolk County National Bank has posted an irrevocable letter of credit in the sum of One Hundred Twenty Two Thousand Nine Hundred Three Dollars (\$122,903) representing the 5% site plan bond for the work at West Second Street, Riverhead, New York, Suffolk County Tax Map # 600-128.00-05-006.00 & 009.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% letter of credit in the sum of One Hundred Twenty Two Thousand Nine Hundred Three Dollars (\$122,903), issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, 737 Roanoke Avenue, Riverhead, New York 11901, the Suffolk County National Bank, 6 West Second Street, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1037

Adopted

**RELEASES IRREVOCABLE LETTERS OF CREDIT (2) OF MANZI HOMES
(MEADOWCREST – SECTION III)**

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

WHEREAS, Manzi Homes, Inc. of the Meadowcrest Section III subdivision has posted S.C.N.B. Irrevocable Letter of Credit #980611A in the amount of \$2,500.00 representing Water District Key Money and S.C.N.B. Irrevocable Letter of Credit #980611 in the amount of \$2,000.00 representing Water District Key Money; and

WHEREAS, by letter dated July 3, 2001 from Joseph of Manzi Homes, Inc., it is requested that said letters of credit be released, due to his payment of said fees; and

WHEREAS, by memorandum dated September 17, 2001, Jane Stromski of the Planning Department all advises that park and recreation and water district key monies have been paid.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the release of S.C.N.B. Irrevocable Letter of Credit #980611A in the amount of \$2,500.00 representing Water District Key Money and S.C.N.B. Irrevocable Letter of Credit #980611 in the amount of \$2,000.00 representing Water District Key Money in connection with the "Meadowcrest Section III" subdivision; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Manzi Homes, Inc., Attn: Joseph Manzi, P.O. Box 702, Rocky Point, New York, 11778; Suffolk County National Bank, Attn: L. Milius, 1149 Old Country Road, Riverhead, New York, 11901; the Riverhead Planning Department; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Densleski Yes ___ No ___ Cardinalo Yes ___ No ___
Kent Yes ___ No ___ Kull Yes ___ No ___
Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

ORDER EXTENDING CALVERTON SEWER DISTRICT CALVERTON BUSINESS INCUBATOR

RESOLUTION # 1038

Adopted 10/02/01

Councilperson COUNCILMAN DENSIESKI offered the following

Resolution which was seconded by Councilperson COUNCILMAN LULL,

WHEREAS, by resolution No. 33 adopted December 19, 2000, the Riverhead Town Board, as the governing body of the Riverhead Community Development Agency, determined to deed property to Stony Brook University for the construction of the Calverton Business Incubator, which resolution required an application for extension of the Riverhead Sewer District to serve the premises being conveyed, and

WHEREAS, a map and plan dated June 14, 2001, detailing the proposed extension, as prepared by H2M, consulting engineers to the Riverhead Sewer District, is on file, and

WHEREAS, the maximum amount to be expended for the extension is \$320,000 to be borne solely by the Riverhead Industrial Development Agency, as agent for Stony Brook University, and paid by a grant from the State of New York, and

WHEREAS, key money cost will be assessed against this project to cover the cost of constructing capital improvement facilities, for a total cost of \$7,488, to be borne by the Riverhead Industrial Development Agency, as agent for Stony Brook University, and paid by grant from the State of New York, and

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

WHEREAS, the Town Clerk served a certified copy of the resolution and attendant map and plan by mail upon the New York State Department of Environmental Conservation Region I at Stony Brook, New York, and

WHEREAS, the Town Board called a public hearing for August 7, 2001, which hearing was held and all persons wishing to be heard were heard,

THE VOTE

Densieski Yes No Cardinale Yes No *abstain*

Kent Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS **ADOPTED**

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 Calverton Sewer District 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 at Calverton, New York, and be it further

RESOLVED, that the approval of the extension to the Calverton Sewer District is expressly conditioned upon the following two conditions: that title to the extension area be conveyed from the Riverhead Community Development Agency to the Riverhead Industrial Development Agency; and that the construction of the Business Incubator project, described in Community Development Agency Resolution No. 33 adopted December 19, 2000 by the Riverhead Town Board as the governing body of the Town of Riverhead Community Development Agency, be completed and in operation no later than the last day of the month which is thirty six (36) months following the date of delivery of the deed from the Riverhead Community Development Agency to the Riverhead Industrial Development Agency. In the event either condition does not occur, the extension approved herein shall be deemed null and void, and be it further

RESOLVED, that H2M is hereby directed to include on the map of the extension a note indicating that the approval of the extension was conditioned upon the two conditions set forth above, and be it further

RESOLVED, that the Town Board determines that the installation of the sewer 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 the cost of installation of said mains and appurtenances is \$320,000 and key money is in the amount of \$7,488, all being constructed subject to and at the sole expense of the Riverhead Industrial Development Agency as agent for Stony Brook University to be paid by a grant from the State of New York, and that no District funds be expended, and be it further

RESOLVED, that the Town Clerk shall cause a copy of this Order to be recorded in the Office of the Clerk to Suffolk County and filed with the New York State Comptroller, and it is further

RESOLVED, that the Town Clerk forward a certified copy of this resolution to Frank Isler, Esq., H2M, Superintendent Michael Reichel, the Riverhead Industrial Development Agency, and the New York State Department of Environmental Conservation Region I.

Beginning at a point formed by the intersection of the southerly side of State Route 25 (Middle Country Road) and the westerly side of Wading River-Manorville Road running from said point a tie distance of 13,172.66 feet to the North Westerly corner of the parcel about to be described and the Point or Place of Beginning.

Running thence North $80^{\circ}10'09''$ East, a distance of 379.87 feet; thence North $88^{\circ}00'13''$ East, a distance of 576.61 feet; thence South $13^{\circ}18'00''$ East, a distance of 2333.65 feet; thence South $90^{\circ}00'00''$ West, a distance of 970.64 feet; thence North $13^{\circ}18'00''$ West, a distance of 2246.37 feet to the Point of Beginning. Containing 50.00 ACRES, more or less.

September 18, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1039

ACCEPTS RESIGNATION OF CROSSING GUARD

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

WHEREAS, Chief of Police Joseph Grattan has received a letter of resignation submitted by Crossing Guard Noel Dolan, effective September 6, 2001.

NOW, THEREFORE, BE IT RESOLVED, that the letter of resignation submitted by Noel Dolan is accepted.

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

10/2/01

TOWN OF RIVERHEAD

Resolution # 1040**ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS**
(BENNY GATZ)COUNCILMAN DENSIESKI

offered the following resolution, which was seconded

by

COUNCILMAN KENT :

WHEREAS, the County of Suffolk ("the County") has received an offer for sale of development rights from Benny Gatz respecting 35 acres located on Sound Avenue, Riverhead, New York, such real property more particularly described as Suffolk County Tax Map Number 0600-21-2-6.1 and a second parcel respecting 19.5 acres located on Sound Avenue, Riverhead, New York, such real property more particularly described as Suffolk County Tax Map # 0600-21-2-10.1; and

WHEREAS, the Riverhead Farmland Preservation Committee ("the Committee") has reviewed the aforementioned offer for sale of development rights from Benny Gatz to the County; and;

WHEREAS, the County of Suffolk and the Town of Riverhead are desirous sharing the cost of purchasing said development rights, and

WHEREAS, the aforementioned offer for sale sought a sale price of \$15,000.00 dollars per acre of development rights, and

WHEREAS, County of Suffolk has agreed to contribute \$14,000.00 toward the per acre price and the Town of Riverhead has agreed to contribute \$1,000.00 per acre toward the per acre price, and

WHEREAS, the Committee has commissioned an appraisal of the value of development rights inherent in the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in the Agricultural Preservation Law and has formally recommended that the Town Board of the Town of Riverhead consider contributing to the County's purchase of development rights from the property; and

WHEREAS, the Town Board has carefully considered the merits of the offer sale of development rights, the report of the Peconic Land Trust, the appraisal of development rights by Given Associates, the report of the Farmland Preservation Committee, the

criteria set forth in the agricultural preservation law and all other pertinent planning, zoning and environmental information; and

WHEREAS, a public hearing was held on the 7th day of August, 2001 at 2:30 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby agrees to contribute to County's purchase of development rights from the subject real properties of Benny Gatz, pursuant to Chapter 44, Section 44-5 B(2) of the Code of the Town of Riverhead; and be it further

RESOLVED that the Town's interest in the development rights purchased as described herein shall be reflected in the deed of developments rights from the sellers; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract for purchase of development rights from the subject property whereby the Town of Riverhead would contribute One Thousand (\$1,000.00) Dollars per acre toward the purchase; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Anthony Tohill, Esq., 12 First Street, P.O. Box 1330, Riverhead, New York, 11901; the Farmland Preservation Committee; Peconic Land Trust, attn: Julie T. Wesnofske, P.O. Box 1776, Southampton, New York 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Department and the Office of the Town Attorney.

THE VOTE

Densleski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozaklewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

10/2/01

Adopted

TOWN OF RIVERHEAD

Resolution # 1041

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE IN CONNECTION WITH INDIVIDUALIZED RESIDENTIAL ALTERNATIVE FOR THE DEVELOPMENTALLY DISABLED (INDEPENDENT GROUP HOME LIVING PROGRAM, INC.)

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

WHEREAS, as provided in Section 41.34 of the Mental Hygiene Law, any agency that wishes to establish and operate an Individualized Residential Alternative (IRA) residence within the Town of Riverhead must submit a letter of notification and intent as to the location of the proposed residence; and

WHEREAS, Independent Group Home Living Program, Inc. (IGHL) has submitted a letter of notification and intent dated September 11, 2001, to establish and operate an Individualized Residential Alternative (IRA) at 45 Sound Avenue, Riverhead, New York; and

WHEREAS, the Town Board of the Town of Riverhead must respond to the sponsoring agency within 40 (forty) days of the date of the letter of notification and intent; and

WHEREAS, the Town Board of the Town of Riverhead determines that it be in the best interest of Town of Riverhead residents to be made aware of the submission of the letter of notification and intent of the proposed Individualized Residential Alternative (IRA) of IGHL.

NOW THEREFORE BE IT RESOLVED, the Town Clerk be and is hereby authorized to publish and post the attached public notice once in the October 4, 2001 edition of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the public notice to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Independent Group Home Living Program, Inc., Attn: Walter W. Stockton, CEO, P.O. Box 638, 62 Pine Street, East Moriches, New York, 11940-0638; the Supervisor's Office and the Office of the Town Attorney.

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 16th day of October, 2001 at 7:15 o'clock p.m. to consider the establishment and operation of an Individualized Residential Alternative (IRA) at 45 Sound Avenue, Riverhead, New York.

Dated: Riverhead, New York
October 2, 2001

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

TOWN OF RIVERHEAD

Adopted

AUTHORIZATION TO DISCARD FIXED ASSETS

RESOLUTION # 1042

COUNCILMAN DENSIENSKI

offered the following resolution, which was seconded by

COUNCILMAN CARDINALE

WHEREAS, broken computer equipment that has been salvaged for parts and is no longer usable; and

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

NOW, THEREFORE BE IT

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

Tag #	Item	Tag #	Item
8191	Unisys T-27	21296	HP 4C Scanner
8506	Air Land Modem	21347	486 PC
8657	Air Land Modem	21348	486 PC
8720	Unisys AP1329 Printer	21465	Unisys SG3600Z
9147	486 PC	21560	HP 660C Printer
20013	HP 500C Printer	21783	HP 1600C Printer
20024	486 PC	21784	HP 1600C Printer
20033	486 PC	21852	Gateway Keyboard
20040	486 PC	21877	Gateway Monitor
20052	HP 500C Printer	21882	Gateway Keyboard
20102	386 PC	21884	HP 694C Printer
20694	486 PC	21930	Gateway Monitor
20861	HP 560C Printer	21944	HP Vectra 500 PC
21093	Unisys SG5201	22538	Gateway Monitor
21098	Unisys SG5201	22878	Gateway Monitor
21137	Unisys SG3500	23139	Gateway Keyboard
		21096	Gateway Monitor

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

10 / 2 / 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1043

AUTHORIZES ATTENDANCE OF ASSESSOR AT MEETING

COUNCILMAN KENT Offered the following resolution which was
seconded by COUNCILMAN LULL

WHEREAS, on October 5, 2001 a meeting on manufactured housing and the real property tax is being held in Albany, New York, and

WHEREAS, as a member of the New York Manufactured Housing Assn. and the New York State Assessors' Assn., I member of the Board of Assessors has expressed an interest and desire in attending said meeting.

NOW, THEREFORE, BE IT RESOLVED, that the assessor is hereby authorized to attend said meeting, and

BE IT FURTHER RESOLVED, that the use of a Town vehicle is hereby authorized, and

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

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

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

THE VOTE

Densleski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT

THE RESOLUTION

October 2, 2001

TOWN OF RIVERHEAD

Resolution # 1044

CHANGES EMPLOYMENT STATUS
OF DEPUTY TOWN ATTORNEY

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

WHEREAS, in an effort to reduce the legal expenses of the Town, the Town Board on September 5, 2000, appointed Sean M. Walter, Esq., as part-time Deputy Town Attorney who commenced work on October 2, 2000, and

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

WHEREAS, the Town Board wishes to change the benefits package of the Deputy Town Attorney.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that commencing October 1, 2001, the Deputy Town Attorney, Sean M. Walter, Esq. shall continue in his appointed position and be paid 4.25 hours holiday pay per scheduled holiday as defined in the Civil Service Employees Association Contract; and be it further

RESOLVED, that Sean M. Walter, Esq., shall receive hospitalization, dental and optical insurance benefits, which benefits will be paid for by the Town of Riverhead, and be it further

RESOLVED, that Sean M. Walter shall accumulate sick and vacation time as set forth in Resolution 693 adopted on June 19, 2001 at the rate of 1 1/4 days per month sick time (5.5 hours per month) and 10 vacation days per year (42.5 hours per year), and be it further

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

THE VOTE
Donohue Yes No Cardinale Yes No
Karr Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS **WAS NOT**
THEREUPON DULY ADOPTED

10/2/01

TOWN OF RIVERHEAD

Resolution # 1045

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

~~COUNCILMAN~~ _____

offered the following resolution,

which was seconded by COUNCILMAN KENT

RESOLVED, that Nicole Trent is hereby appointed to serve as a Part time Recreation Aide, effective September 24, 2001 to and including December 31, 2001 to be paid at the rate of \$9.08 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

Densleski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Tabled

1923

October 2, 2001

ADOPTED: OCTOBER 16, 2001

TOWN OF RIVERHEAD

Adopted

Resolution # 1046

APPOINTS ASSISTANT RECREATION LEADERS FOR THE GO GIRLS TITLE V PROGRAMS

seconded by COUNCILMAN KENT offered the following resolution, which was **TO BE TABLED,**
COUNCILMAN KENT

WHEREAS, the Town of Riverhead has received a grant from the NYS Division of Criminal Justice Services to fund the "Go-Girls" Title V Delinquency Prevention Program.

RESOLVED, that Michelle Baumann, Colleen O'Leary and Suzanna LoMango be appointed to serve as Assistant Recreation Leaders effective October 15, 2001 through May 31, 2002 at the rate of \$20.00 per hour. Ms. Baumann and Ms. O'Leary will be working approximately one (1) hour per week for approximately thirty (30) weeks, for a total number of approximately thirty (30) hours each. Ms. LoMango will be working approximately two (2) hours per week for approximately thirty (30) weeks, for a total number of approximately 60 hours; and,

BE IT FURTHER RESOLVED, that these positions are subject to the following condition(s):

1. All applications and appropriate forms must be completed (in the Office of Accounting) PRIOR to start date.
2. Pending approval of their applications by the Suffolk County Department of Civil Service.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Michelle Baumann, Colleen O'Leary, Suzanna LoMango, the Juvenile Aid Bureau and the Office of Accounting.

TOWN BOARD MEETING OF OCTOBER 16, 2001

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN CARDINALE. ALL MEMBERS IN FAVOR OF UNTABLING THE RESOLUTION,

COUNCILMAN KENT OFFERED THE RESOLUTION FOR ADOPTION, WHICH WAS SECONDED BY COUNCILMAN CARDINALE

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

ALL MEMBERS IN FAVOR OF ADOPTING THE RESOLUTION.

Tabled Adopted

Date October 2, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1047

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST
A HELP WANTED AD FOR ECONOMIC DEVELOPMENT ZONE
COORDINATOR TO PROMOTE INDUSTRIAL DEVELOPMENT AT THE EPCAL SITE

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

BE IT RESOLVED that the Town Clerk of the Town of Riverhead be and is hereby directed to publish the attached Help Wanted Advertisement in the October 11, 2001 issue of the News Review; and

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

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Economic Development Zone Coordinator. Applicants must possess a Bachelor's Degree and two to four years experience in Urban Planning, Economic development, Accounting or a field related to the development and implementation of economic growth. Applications are to be submitted to the Accounting Department at 200 Howell Avenue in Riverhead, NY 11901, between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. No applications will be accepted after 4 p.m. on Friday, October 26, 2001. EOE.

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

Adopted

TOWN OF RIVERHEAD

Resolution # 1048

AWARDS BID FOR TRAFFIC LINE STRIPING

~~COUNCILMAN LULL~~

offered the following resolution,

which was seconded by

~~COUNCILMAN DENSIESKI~~

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for TRAFFIC LINE STRIPING and ;

WHEREAS, bids were received, opened and read aloud on the 1st day of October, 2001 at 11:05 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT

RESOLVED, that the bid for TRAFFIC LINE STRIPING ,be and hereby is, awarded to Traffic Lines, Inc. as per the attached sheet..

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Traffic Lines, Inc., the Highway Department and the Purchasing 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

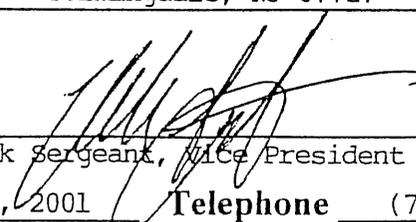
**Town of Riverhead
Traffic Paint Striping and Markings Bid Form**

Quantity	Description	Price Per Lin. Ft.
1,000,000 Lin. Feet	Furnish all necessary labor, materials and equipment in accordance with the specifications to place latex traffic paint for traffic striping and traffic markings. Per Lin. Ft. (4" line)	\$ <u>0.0325</u> Per lin. Ft. 4" line
500,000 Lin. Feet	Furnish all necessary labor, materials and equipment in accordance with the specifications to place latex traffic paint for traffic striping and traffic markings. Per Lin. Ft. (4" line)	\$ <u>0.0325</u> Per lin. Ft. 4" line

Name of Bidder Traffic Lines, Inc.

Address of Bidder 5100 Asbury Road

Farmingdale, NJ 07727

Signature  Mark Sergeant, Vice President

Date September 26, 2001 Telephone (732) 919-3100

10/02/01

TOWN OF RIVERHEAD

Resolution # 1049

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A PROPOSED LOCAL LAW ENTITLED "MORATORIUM ON RESIDENTIAL DEVELOPMENT"

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

WHEREAS, pursuant to resolution 426, the Town Board directed the "Town Attorney to prepare a draft Local Law to ultimately effect a residential development Moratorium upon lands within the Agricultural Overlay District as proposed by the Riverhead Planning Board", and

WHEREAS, the Town Attorney has prepared said draft Local Law and the Town Board of the Town of Riverhead has reviewed the draft, and

WHEREAS, the Planning Board reviewed the proposed moratorium and offered suggested changes, and

WHEREAS, the Suffolk County Planning Commission has reviewed the proposed moratorium and has determined the matter to be an issue of local determination, and

WHEREAS, a public hearing was held on July 17, 2001 and comments on the proposed Local Law were heard by the Town Board, and

WHEREAS, based upon the comments received from the Planning Board and the public at the public hearing, the Town Board has modified the proposed local law,

NOW THEREFORE BE IT RESOLVED, RESOLVED that the proposed Local Law is a Type II action pursuant to 6 NYCRR Part 617.5(30), and be it further

RESOLVED, that Town Clerk be and is hereby authorized to publish and post the attached public notice to consider a local law entitled, "Moratorium on Residential Development", once in the October 11, 2001 issue of the News Review, hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Building Department; the Planning Department, and the Suffolk County Planning Commission.

c:\msword\reso\stsign.ph

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

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 16th day of October at 7:20 o'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York , to hear all interested persons to consider the adoption of a Local Law entitled, "Moratorium on Residential Development" as follows:

LOCAL LAW NO. OF 2001

A LOCAL LAW creating a new Chapter 109 of the Code of the Town of Riverhead entitled: "Moratorium of Residential Development within the Town of Riverhead".

BE IT ENACTED by the Town Board of the Town of Riverhead as follows:

SECTION 1.

109-001. LEGISLATIVE INTENT.

In order to better protect the health, safety and welfare of its residents, the Town of Riverhead is currently updating its Comprehensive Plan so as to ensure the protection of its natural resources, including farmland, wetlands, coastal areas, water-front lands, and woodlands.

With the intent on establishing a comprehensive means of preserving farmland in Riverhead, Land Ethics, Inc., Inc., a subcontractor to the Town's Comprehensive Plan consultant, Abeles, Phillips, Preiss & Shapiro ("A, P, P & S"), has developed a draft chapter for the Comprehensive Plan entitled "Preservation Strategy for Agriculture in the Town of Riverhead".

With regard to Riverhead's unique opportunities as an agricultural community, in its draft chapter "Preservation Strategy for Agriculture in the Town of Riverhead" Land Ethics, Inc. stated as follows:

"Because of the large amount of farmland remaining in Riverhead, it's excellent climate and soils, as well as it's geographic location at the intersection of the North and South Forks, Riverhead is uniquely situated to benefit from agricultural preservation. Relative to other communities on eastern Long Island, Riverhead still has a large amount of contiguous agricultural space. Riverhead therefore has the potential to become the agricultural nexus or "heartland" of eastern Long Island ... Because of its unique geographic location, Riverhead stands to benefit economically if new growth is well managed. To reap these benefits, Riverhead must carefully balance three areas of actions: the revitalization of downtown; the accommodation of new growth, and the maintenance of rural character in its outlying regions."

With regard to the current state of agriculture and agricultural lands within the Town of Riverhead Land Ethics, Inc. further stated:

Over the nearly fifty-year period between 1950 and 1992, farmland in Suffolk County decreased 71 percent, from 123,346 acres to 35,353 acres. According to the Suffolk County Planning Department, farmland continues to decline at a rate of roughly 1,300 (1,289) acres per year. ... In 1968, Riverhead has 30 percent of the county's farmland (19,550) acres; nearly 30 years later in 1996, despite a 9 percent drop in the Town agricultural acreage, Riverhead had 38% of the county's farmland - 17,662 acres. These figures indicate that Riverhead has a critical role to play in the protection of prime agricultural lands in eastern Long Island.

In an effort to enable to Town to better preserve its agricultural heritage and open spaces, Land Ethics, Inc., in its draft "Preservation Strategy of Agriculture in the Town of Riverhead" has proposed significant changes to zoning which will impact residential development and to residential land development review procedures with the Town.

Due in part to the ongoing comprehensive planning effort that the Town of Riverhead has been engaged in for several years, the Town has experienced a significant increase of subdivision, site plan and special permit project applications in anticipation of pending changes. Currently there are numerous such pending applications within the proposed Agriculture Overlay District and the proposed Development Rights Receiving Districts. The influx of these development applications going forward under outdated policies and procedures will impair the effectiveness of the aforementioned proposed changes, further exacerbating the loss of natural resources sought to be preserved thought the implementation of forthcoming update to the Comprehensive Plan. It is expected that the final version the Comprehensive Plan chapter outlining the preservation strategy for agriculture in the Town of Riverhead will be ready to be adopted and implemented by the Town in approximately twelve months from the effective date of this local law.

Pending the adoption of the update to the Comprehensive Plan, a moratorium on the subdivision of land and/or the approval of site plans or special permits on lands within the proposed Agricultural Overlay District and Development Rights Receiving Areas, will give the Town of Riverhead the breathing room it needs to adopt the zoning and planning changes necessary to protect the public health, safety, and welfare.

The moratorium is not a building moratorium. Those applicants for development who have obtained valid building permits are exempted from the moratorium. Likewise, those applicants for development who have received final conditional approval for residential land subdivision, residential site plans or residential special permits are exempted. This local law recognizes the need to balance preservation with business concerns. Those applicants for development who have invested considerable time and money and received their final conditional approvals, building permits, site plan approvals or special permits are exempt from the moratorium.

The law also provides a number of exemptions for owners of property seeking minor subdivisions so that it does not impose an undue burden upon them. Thus, residential subdivisions of four lots or less are exempted. As such, undue hardships will not be imposed where minimum community gains can be accomplished.

A well-planned community will serve all of the inhabitants of Riverhead. Surveys reveal that Towns with tighter zoning controls generally have lower taxes. High-density residential development often leads to the need for more expensive infrastructure, including more schools, police, roads, and sewers among other amenities. Low-density residential development generally leads to higher land values because the most beautiful portions of the community can be preserved via clustering and setbacks, a strong agricultural heritage and rural character can remain intact, and bays and ecosystems can be protected.

In addition, the advent of the two- percent transfer tax represents an opportunity of unprecedented proportion to save the best of Riverhead Town for future generations. Wide expenditure of these monies will serve to preserve the quality of life in the Town and enhance property values well into the future.

In short, sound planning will lead to a higher quality of life for all of Riverhead's citizens. By briefly pausing for a twelve (12) month period, rather than for a longer period of several years or more, in order to enact the recommendations of the Preservation Strategy for Agriculture in the Town of Riverhead, the Town is making a important investment for the future and upholding its commitments and obligations to its citizens.

109-002. Statutory Authority/Supersession.

This Chapter is adopted pursuant to Municipal Home Rule Law and the State Environmental Quality Review Act and its implementing regulations. It expressly supersedes any provisions of the Town Code of the Town of Riverhead, and § § 267, 267-a, 267-b, 267-c, 274-a, 274-b and 276 of the Town Law of the State of New York. In particular, this Local law shall supersede and suspend those provisions of the Town code and New York State Law which require the Planning Board to accept, process and approve residential land subdivision applications within certain statutory time periods. In addition, this Local Law shall supersede and suspend those provisions of the Town Code of the Town of Riverhead as well as the Town Law of the State of New York which require the Town Board to accept, process and approve site plan and special permit applications. Furthermore, this Local Law shall supersede and suspend those provisions of the Town Code and the New York State Town Law which grant the Zoning Board of Appeals authority to hear appeals from applicable zoning provisions and specifically the time frames for decision making and holding hearings for decision making.

109-003 Applicability.

The provisions of this Chapter shall apply to all residential land subdivision, residential site plan and residential special use permit applications for lands within the Town of Riverhead.

109-004. Processing of Residential Subdivision Applications, Residential Site Plans Applications and Residential Special Permit Application Prohibited.

The Planning Board of the Town of Riverhead shall not issue any residential land subdivision approvals except as set forth herein. At the request of an applicant, the Planning Board may continue to process any application for residential subdivision during the moratorium period. At the request of an applicant, the Town Board may continue to process applications for residential site plan approval or for residential Special Permits. However, neither the Planning Board nor the Town Board shall not grant any approvals, preliminary or final, for any residential land subdivision, residential site plans or residential special permits except as set forth herein.

109-005. Time Period.

This Chapter shall apply for a period of twelve (12) months from the effective date hereof. This Chapter shall expire after said twelve (12) month period unless and until this time period is extended by the Town Board after adoption of a subsequent Local Law.

109-006 Applications excluded.

The following applications are excluded from this Chapter:

- (1) Residential minor subdivision applications, except that, during the moratorium period, there shall be no further subdivision of any propert(ies) which apply for and receive a residential minor subdivision approval under this section.
- (2) Residential subdivision applications that have final conditional approval from the Planning Board prior to the effective date of this Chapter.
- (3) Residential site plan or residential special permit applications for residential development which have received final approval from the Town Board.
- (4) Residential subdivision applications modifying a map or its conditions of approval, including legal instruments, in connection with a previously filed map or final conditional approval adopted prior to the effective date of this Chapter. However, there shall be no modification to a map or conditions of approval that would create additional residential building lots on the subject parcel.
- (5) Residential subdivision applications where more than 70 percent of tract is being preserved through acquisition and/or donation to the State, County, or Town open space programs which is subject to approval by resolution by the Town Board.
- (6) Property designated pursuant to Articles 15 and 15-A of the General Municipal Law of the State of New York as an Urban Renewal Area.

109-007 Exemptions.

a) Supersession:

The provisions concerning exemption contained herein supersede any contrary provisions of the Town Code of the Town of Riverhead as well as

the Town Law of the State of New York §§ 267, 267-a, 267-b, 267-c. 274-a, 274-b and Town Law of the State of New York § 276. Specifically, this Local Law shall supersede those provisions of the Town Code and the New York State Town Law which grant the Zoning Board of Appeals authority to hear appeals from applicable zoning provisions and specifically the time frames for decision making and holding hearings for decision making are hereby superseded by this Local Law.

(b) Exemption Criteria and Procedure for Obtaining an Exemption

Applications may be exempted from the provisions of this Chapter, following a public hearing on notice before the Town Board. Upon such application, the Town Board shall consider:

- (i) The proximity of the applicant's premises to natural resources, including prime agricultural soils, pine barrens, wetlands, coastal areas, endangered plant and animal species, wildlife and other similar environmental concerns;
- (ii) The impact of the proposed subdivision of the applicant's premises and the surrounding area;
- (iii) The environmental significance, if any, of the applicant's parcel and the proposed development's impact upon the environment, including existing transportation resources;
- (iv) Compatibility of the proposed development with the aesthetic resources of the community and with the existing community character;
- (v) Compatibility of the proposed development with the recommendations of comprehensive planning studies.

(2) In making a determination concerning a proposed exemption, the Town Board may obtain and consider written reports from the Planning Department, and such other sources as required in the discretion of the Town Board, and consistent with the purposes of this Chapter. A grant of an exemption to an applicant's application hereunder shall include a determination of unreasonable hardship upon the property owner which is unique to the property owner and a finding that the grant of an exemption will be in harmony with, and will be consistent with the recommendations of the Comprehensive Plan Update.

(3) An application under Subsection (1) shall be accompanied by a fee of \$250.00, together with the applicant's written undertaking, in a form to be approved by the Town Attorney and, in substance, approved by the Town Board, to pay either in advance or by reimbursement, at the Town Board's on-going election, any out-of-pocket costs incurred relating to the hearing, review, and determination of such application.

SECTION 2.

109-008 Severability.

If any section or subsection, paragraph, clause, phrase or portion of this local law shall be judged invalid or held unconstitutional by a court of competent jurisdiction, any judgment made thereby shall not effect the validity of this law as a whole or any part thereof other than the part of provision so adjudged to be invalid or unconstitutional.

SECTION 3.

109-009 Effective Date.

This Local Law shall take effect upon the filing of this Local Law with the Secretary of State pursuant to the Municipal Home Rule Law.

10/02/01

Adopted

TOWN OF RIVERHEAD

Corrects Bid Opening Date on Resolution #1002 of 2001 and Authorizes Town Clerk to Publish and Post a Notice to Bidders for ONAN/CUMMINS Gen Set, Model 60ENA Generator

Resolution # 1050

~~COUNCILMAN DENSIESKI~~

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

RESOLVED, due to the holiday on October 8, 2001, the bid opening date must be corrected to read October 11, 2001

THEREFORE, BE IT RESOLVED, that a new Notice must be Published to correct this date, and

RESOLVED, that the Town Clerk is hereby authorized to post and publish a new Notice to Bidders in the October 4, 2001 issue of the News Review newspaper; and

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

THE VOTE

Densleski Yes ___ No ___ Cardinals Yes ___ No ___
Kent ___ Yes ___ No ___ Kull Yes ___ No ___
Kozaklewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed proposals for the purchase of one (1) Onan/Cummins Gen Set, Model 60ENA Generator will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 am October 11, 2001 at which time they will be publicly opened and read aloud.

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

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Onan/Cummins Generator".

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

BY ORDER OF THE RIVERHEAD TOWN BOARD
Barbara A. Grattan, Town Clerk
Riverhead, NY 11901

Date: October 2, 2001

October 2, 2001

TOWN OF RIVERHEAD

Resolution # 1051

ADOPTS FINDING STATEMENT SUPPORTING THE SPECIAL PERMIT PETITION OF HEADRIVER, LLC

Councilman Lull offered the following resolution which

was seconded by Councilman Kent

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Headriver, LLC to allow the construction of a 135,000 square feet lumberyard, a 225 seat restaurant and related site improvements upon real property located at Route 58, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Parcel No. 0600-119-1-1.2, and

WHEREAS, by resolution #385 of 2000, the Riverhead Town Board did determine the action to be Type I with potential adverse impacts to both the natural and social environment and that an Environmental Impact Statement be prepared, and

WHEREAS, by resolution # 761 of 2001, the Riverhead Town Board did accept the Final Environmental Impact Statement supporting the special permit petition of Headriver, LLC, and

WHEREAS, the Lead Agency has prepared a Statement of Findings on the action pursuant to 6NYCRR Part 617, and

WHEREAS, the Riverhead Town Board has carefully considered the merits of the special permit petition of Headriver, LLC, the SEQRA record created to date as well as the Findings Statement annexed hereto, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Headriver, LLC, the Riverhead Town Board hereby adopts the Findings Statement prepared pursuant to 6NYCRR Part 617.1 as attached and incorporated herein, and

BE IT FURTHER

RESOLVED, that the Planning Director be authorized to publish and post those notices and filings of Lead Agency Findings required pursuant to 6NYCRR Part 617.12.

THEREFORE BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to Jonathan Brown, Esq.

TOWN OF RIVERHEAD**TOWN BOARD****FINDINGS STATEMENT FOR THE FINAL ENVIRONMENTAL
IMPACT STATEMENT PURSUANT TO THE
STATE ENVIRONMENTAL QUALITY REVIVEW ACT (SEQRA)**

This Notice is issued pursuant to 6NYCRR Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law ("ECL") of New York State. The Findings Statement for the Final Environmental Impact Statement is being prepared by the Town of Riverhead (the Town) for the proposed Headriver, LLC Lumberyard Complex project to be located on the north side of Suffolk County Route 58, opposite Kroemer Road in Riverhead, Town of Riverhead, New York (S.C.T.M. 0600-119-01-001.2).

Project Name: Headriver, LLC Lumberyard Complex in Riverhead.

Project Description:

The proposed Headriver, LLC Lumberyard Complex would be located on a 21.21-acre site located on the north side of CR 58, east of the terminus of the Long Island Expressway (LIE), in the hamlet of Riverhead, Town of Riverhead. The project site is bounded to the north by an the unopened section of the Long Island Expressway (NYS Rte 495) and a Long Island Power Authority easement, to the west is a New York State Department of Transportation (NYSDOT) maintenance facility, to the east is a 50-foot right of way and to the south is Old Country Road (also known as CR 58).

The proposed project is a Lowe's Companies, Inc. home center with 135,200 square feet of floor space, a 38,800 square foot outdoor garden center and 585 parking spaces. The products to be sold at this home center include: lumber, hardware, paint, garden and building supplies.

The proposed one-story building will be sited in the northwestern corner of the property and the building entrance will face south. The façade of the building will be a prefabricated light beige metal cladding with pre-finished metal roof panels painted in Lowe's blue. A pre-finished white metal cornice will be located on top of the front wall parapet. A Lowe's sign will be displayed above the entrance doors in white lettering with a blue background and a red border. The rear elevation of the building will include areas with 20-foot high tubular steel, black vinyl covered chain link fencing along with light beige metal prefabricated panels. A 523-space parking area will be

located between the building structure and CR 58, with additional 62 parking spaces located in parking areas on the north and east sides of the building. The eastern side of the building will include the garden center that will be fenced.

There will be two signalized access points into the site. The main entrance to the site will be located along the eastern side of the property and it will be shared with the Adchem facility. The second entrance will be located along the western side of the property and it will be shared with the existing NYSDOT facility.

The project site will be landscaped with approximately 1.82 acres of native or near native vegetative planting materials. These landscaped areas will be located along the northern, southern and western boundaries of the site. All landscaped areas will be watered by an in-ground irrigation system.

In order to develop the project, the applicant has applied to the Town Board for (a) a Special Permit, and (b) site plan approval.

- (a) **The Special Permit:** In order to construct and operate the proposed Headriver, LLC Lumberyard Complex and related site improvements, the Applicant has applied to the Town Board, pursuant to Town Code Chapter 108-3E, for a special permit allowing a lumberyard in an Industrial A zone. Such use is a special exception use under Town Code Chapter 108-45B(12). In addition, a Special Permit application had been submitted by OC Riverhead 58, LLC to allow construction and operation of a restaurant/food service building (for possibly four restaurants) and related site improvements on the adjacent property. Both of these properties, and the above-described development of each, were presented and discussed in the Draft and Final EIS's.
- (b) **Site Plan Approval:** As required by Town Code Chapter 108-129, the applicant has applied to the Town Board for approval of its proposed site plan.

Permits and Approvals:

The project will require the following permits and approvals:

Agency/Entity

Permit/Approval

Town of Riverhead Town Board	Special Permit and Site Plan Approvals
Town of Riverhead Planning Board	Recommendation upon special permit
Town of Riverhead Department of Buildings, Engineering and Housing	Building Permit
	Riverhead Water District

applicant was informed that he had not satisfactorily responded to the comments regarding the socio-economic impacts of the project.

On July 3, 2001, the Town Board passed Resolution #761 instructing the applicant to identify the socio-economic impact(s) of the project on existing retail stores within the Town that sell product lines of hardware, paint, lumber and building supplies. The applicant was asked to submit additional data identifying all stores within the Town of Riverhead and quantifying the impacts, if any, of the closure of such stores, on immediately surrounding areas or shopping centers and provide reuse scenarios for these stores in the event of a business failure. The applicant submitted this additional data on August 17, 2001 to the Town Attorney.

By Resolution Number 761 of 2001, issued on July 3, 2001, the Town Board resolved that, upon certification by the Town Attorney that the additional economic data requested by the Town Board has been received and is responsive to the Town Board's direction, the additional data would be incorporated into the FEIS and the Town shall thereupon publish and file the augmented FEIS.

On August 9, 2001, the Town Attorney certified that the applicant's document "Socio-Economic Impact Analysis-Addendum" was received and deemed acceptable, satisfying the above-discussed Town directive.

A Notice of Completion of the Final EIS (consisting of the FEIS, dated April 2001; the letter of Supplemental Responses, dated May 30, 2001; and the Socio-Economic Impact Analysis-Addendum, dated July 30, 2001) was issued by the Town Board on August 29, 2001.

FACTS, CONCLUSIONS AND MITIGATION MEASURES CONTAINED WITHIN THE DEIS/FEIS RELIED UPON TO SUPPORT THE LEAD AGENCY DECISION:

Based upon the information and evidence reviewed and analyzed as part of the environmental review process, the construction and development of the proposed 21.21-acre site as a Lowe's home center, below is a discussion of the four potentially significant environmental issues identified in the DEIS Scope.

Terrestrial

- The proposed project will eliminate 14.13 acres, or approximately 67 percent, of natural vegetation. The project will retain approximately 23 percent of the existing woodland along the eastern portion of the site.
- The proposed project will impact a wide variety of wildlife by removing existing woodland habitat. A habitat suitability assessment was prepared and additional on-site biological surveys

were conducted which indicated that no reptiles or amphibians were observed during the course of the assessment. The assessment concluded that the project site does not contain suitable breeding habitat for the tiger salamander and that the roadways and paved areas around the project site would limit successful migration from the existing breeding pond on the south side of Old Country Road (CR 58) to the project site.

Hydrological

Groundwater

- The proposed project will increase the amount of water that is recharged on-site due to the replacement of natural area with impervious surfaces. The project site will recharge a total of 19.03 Million Gallons per Year (MGY) which represents an increase of 7.21 MGY (or 62 percent) compared to the current 11.82 MGY.
- The groundwater recharged on-site will continue to flow southeast and away from the direction of the tiger salamander pond. The increase in the amount of recharged water is not expected to cause a significant adverse impact since the depth to groundwater beneath the site is a minimum of 11 feet below the surface.

Surface Water

- The project site is located within the Riverhead Sewer District. The project is estimated to generate a total of 5,408 gallons per day of sanitary wastewater that will be conveyed through sewer lines to the Riverhead Sewage Treatment Plant.
- SONIR computer model results for the proposed project indicate that 19.03 MG/yr of water will be recharged on the site. In accordance with Town of Riverhead requirements, all surface run-off generated from the site must be contained and so all run-off will be directed to storm water leaching pools designed to accommodate a minimum 2-inch storm.
- The project site will utilize approximately 7,903 gallons per day of potable water from the Riverhead Water District. The water will be brought to the site through an existing water main located in County Road 58.
- Water-saving plumbing fixtures and systems will be used.
- An on-site irrigation system equipped with rain sensors will be used to water the proposed 1.82 acres of landscaping.

Transportation

- Based on the Traffic Impact Study, the proposed development will add traffic to the surrounding street system.
- The applicant will make the following roadway modifications:
 - (1) CR 58 will be re-stripped to allow a second eastbound thru lane.

- (2) The pavement markings on CR 58 east of Mill Lane will be revised to accommodate two eastbound thru lanes.
- (3) Mill Road will be re-striped and any raised medians will be re-shaped or removed to add exclusive northbound and southbound left-turn lanes.
- (4) A northbound-to-westbound left-turn arrow will be added to the traffic signal.
- (5) The traffic signal will provide a leading northbound left-turn lane.
- (6) The traffic signal timing and cycle length will be adjusted to provide optimal intersection performance and progression.

Community Growth and Character

Potential impacts on growth

- Extensive and detailed discussions on the potential for impact on the community's growth characteristics were presented in both the Draft and Final EIS's (within the Supplemental Response letter and the Socio-Economic Impact Analysis-Addendum). These documents consistently concluded that the proposed project would not impact the community's growth characteristics.
- In general, significant growth-inducing aspects of the proposed project are not anticipated. Major development in the immediate vicinity is already present (Tanger, etc.), and the proposed project will only incrementally increase development in the area. The existing roadways serving the site are already in place, and improvements to these roads are in place or in process as a result of prior and continuing development. The area, and project site in particular, have long been planned by the Town of Riverhead for development of the type represented by the proposed project. The proposed use is contemplated as well by the existing zoning (with a Special Permit) for the site, and the proposed use is complementary to the existing pattern of development in the area and this portion of the CR 58 Corridor. Finally, the proposed project will provide a permanent use on-site, with attendant positive economic effects for the Town and both short-term and long-term project employees.
- Concerns in regard to reuse of the site and/or building if the proposed project were to fail were addressed in the FEIS and Supplemental Response letter. As concluded in the latter document, and concurred in by the lead Agency:

Based upon the research and analyses prepared for the DEIS and FEIS, there is an unmet need for this type of project in the area, even in consideration of the other proposed projects in the vicinity. Therefore, the lead agency does not anticipate a reasonable potential for failure of the proposed project, and this conclusion is supported

by the documentation provided in the DEIS and FEIS record for the project. It should be noted that any future additional use of the site would require analysis and review by appropriate Town agencies, including site plan review, if appropriate.

- Subsequently, the lead agency expressed concern in regard to the potential impact of the proposed project on existing hardware, paint, lumber and building supply retail stores within the Town. In response, the applicant prepared an Addendum to the Socio-Economic Impact Analysis (contained in the DEIS), for the purpose of quantifying the impacts, if any, of the closure of such stores on immediately surrounding areas or shopping centers that the subject stores are located within. Further, the Addendum provides reuse scenarios in the event that an identified product-similar retail store closes.
- It is the lead agency's opinion that of applicant's counsel, economist and Nelson, Pope & Voorhis, that more than sufficient information has been submitted consistent with Part 617 standards to analyze the potential socio-economic impact of the proposed project with respect to the State Environmental Quality Review Act (SEQRA). SEQRA does not require analysis of competition between businesses; only socio-economic impacts resulting from a project are properly under consideration. Substantial socio-economic impact analysis indicates an excess in unsatisfied retail demand based on existing conditions and conservative analysis. A growing economy further supports a growing demand for the goods offered by the proposed project.
- It is significant to note that unsatisfied demand existing in the year 2001, will have existed three (3) to four (4) years prior to the two subject projects being fully introduced into the market place. The fact that this level of demand exists, prior to taking into account the growth that has occurred and will continue, clearly is the strongest evidence that the market demand exists for both the planned Home Depot and the proposed Headriver project. The level of buying power for building products and materials in the market area will absorb both new projects, while allowing the existing base of building supply stores, hardware and paint stores to remain economically viable. As a result, the commercial areas within the Town of Riverhead will not be adversely impacted by the two projects under consideration.
- In summary, the lead agency finds that the retail businesses included in this survey are geographically spread throughout areas of the Town, such that no combination of stores are key to the economic success of a business location. In addition, none of the stores function as primary anchors as part of a commercial center, as the majority of the facilities are free standing stores. Furthermore, each use will have its own market niche based on geography, convenience, service and products offered, and other factors that enable the business to successfully compete within a free market environment. Finally, each location is within a zoning district which permits additional uses in accordance with the permitted and special permit uses authorized by zoning, should market conditions, store owner needs or other

factors cause a shift in use. In conclusion, no significant socio-economic impact is expected as a result of this project.

- **Potential impacts to community character** - Information on and descriptions of the proposed project's operations, and of the character of the surrounding area, contained in the Draft and Final EIS's did not indicate the potential for impacts to the character of the community.
- The socio-economic impact analysis performed for the DEIS and FEIS provides a detailed level of review of potential impacts related to changes in the economic climate that may occur in the Town of Riverhead and market area as a result of the proposed project. The analyses conclude that the proposed project can be absorbed into the current economic market based on existing and growing consumer demand, in consideration of the available supply of goods from existing as well as a proposed new Home Depot facility identified within the market area.

CERTIFICATION OF FINDINGS TO APPROVE/UNDERTAKE:

Based upon the information contained in the Final EIS, as outlined in these Findings and the supporting documentation provided, the Riverhead Town Board hereby finds that the Project, as proposed, minimizes potential environmental impacts and will provide the necessary balance between the protection of the environment and the need to accommodate social and economic considerations. Therefore, having considered the Draft EIS, the Final EIS and having further considered the foregoing written facts and conclusions relied upon to meet the requirements of 6NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6NYCRR Part 617 have been met.
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the proposed action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable, including the effects disclosed in the Final Environmental Impact Statement.
3. Consistent with social, economic, and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the Final Environmental Impact Statement process will be minimized or avoided by adoption of the proposed plan and by incorporating as conditions to the decision those mitigative measures which are practicable contained herein.

The Town Board, pursuant to 6NYCRR Part 617.11 has prepared the Findings stated herein and shall cause it to be filed in accordance with 6NYCRR Part 617.12(b).

Copies of this Statement has been filed with:

NYSDEC, Division of Regulatory Services, Albany
Environmental Notice Bulletin
Suffolk County Department of Public Works
Suffolk County Department of Health Services
Robert Kozakiewicz, Supervisor, Town of Riverhead
Town Board, Town of Riverhead
Barbara Grattan, Town Clerk, Town of Riverhead
Planning Board, Town of Riverhead
Building Department, Town of Riverhead
Town Engineer, Town of Riverhead
Riverhead Water District
Riverhead Sewer District
Riverhead Free Library
Richard Hanley, Director, Town of Riverhead Planning Department
Parties of Interest
Jonathan David Brown, Esq. (for the applicant)
Applicant

RESOLUTION #1052 ABSTRACT #39-01 SEPTEMBER 27, 2001 (TBM 10/2/01)

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

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 24,293.69	\$ 24,293.69
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ (1,698.55)	\$ (1,698.55)
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	\$ -	\$ 596.48	\$ 596.48
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ 8,071.23	\$ 8,071.23
WATER	112	\$ -	\$ 3,925.83	\$ 3,925.83
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 2,620.75	\$ 2,620.75
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 178.63	\$ 178.63
STREET LIGHTING	116	\$ -	\$ 551.54	\$ 551.54
PUBLIC PARKING	117	\$ -	\$ 410.93	\$ 410.93
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ -	\$ -
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ -	\$ -
CALVERTON SEWER DISTRICT	124	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 187.31	\$ 187.31
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 124,679.47	\$ 124,679.47
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 282.18	\$ 282.18
SENIORS HELPING SENIORS	453	\$ -	\$ 555.86	\$ 555.86
EISEP	454	\$ -	\$ 178.22	\$ 178.22
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ -	\$ -
MUNICIPAL GARAGE	626	\$ -	\$ 1,754.98	\$ 1,754.98
TRUST & AGENCY	*735*	\$ -	\$ 60,314.60	\$ 60,314.60
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 1,738.45	\$ 1,738.45
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 228,641.60	\$ 228,641.60

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

RESOLUTION # 1052 ABSTRACT #37-01 SEPTEMBER 20, 2001 (TBM 10/2/01)

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

FUND NAME		CD-9/14/01	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 6,200,000.00	\$ 749,790.19	\$ 6,949,790.19
POLICE ATHLETIC LEAGUE	004	\$ 6,000.00	\$ 2,250.00	\$ 8,250.00
TEEN CENTER	005	\$ 10,000.00	\$ -	\$ 10,000.00
RECREATION PROGRAM	006	\$ 48,000.00	\$ 1,939.67	\$ 49,939.67
SR NUTRITION SITE COUNCIL	007	\$ 250.00	\$ -	\$ 250.00
D.A.R.E. PROGRAM FUND	008	\$ 400.00	\$ -	\$ 400.00
CHILD CARE CENTER BUILDING FUND	009	\$ 47,000.00	\$ -	\$ 47,000.00
AG-FEST COMMITTEE FUND	021	\$ 3,000.00	\$ 751.40	\$ 3,751.40
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 1,977.21	\$ 1,977.21
COMMUNITY P.E.T.S. SHELTER	028	\$ 8,500.00	\$ -	\$ 8,500.00
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ 20,000.00	\$ 439.25	\$ 20,439.25
HIGHWAY	111	\$ 750,000.00	\$ 44,937.86	\$ 794,937.86
WATER	112	\$ 1,750,000.00	\$ 98,868.68	\$ 1,848,868.68
REPAIR & MAINTENANCE	113	\$ 700,000.00	\$ 7,600.00	\$ 707,600.00
RIVERHEAD SEWER DISTRICT	114	\$ 1,600,000.00	\$ 42,795.15	\$ 1,642,795.15
REFUSE & GARBAGE COLLECTION	115	\$ 830,000.00	\$ 153,939.74	\$ 983,939.74
STREET LIGHTING	116	\$ 425,000.00	\$ 25,935.53	\$ 450,935.53
PUBLIC PARKING	117	\$ 150,000.00	\$ 3,035.61	\$ 153,035.61
BUSINESS IMPROVEMENT DISTRICT	118	\$ 35,000.00	\$ 621.00	\$ 35,621.00
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 265,000.00	\$ 4,825.55	\$ 269,825.55
CALVERTON SEWER DISTRICT	124	\$ 52,000.00	\$ 3,046.25	\$ 55,046.25
WORKER'S COMPENSATION FUND	173	\$ 1,155,000.00	\$ 20,312.73	\$ 1,175,312.73
RISK RETENTION FUND	175	\$ 505,000.00	\$ 143,353.23	\$ 648,353.23
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 809.71	\$ 809.71
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 21,000.00	\$ -	\$ 21,000.00
SEWER DISTRICT DEBT	382	\$ 10,000.00	\$ -	\$ 10,000.00
WATER DEBT	383	\$ 22,000.00	\$ -	\$ 22,000.00
GENERAL FUND DEBT SERVICE	384	\$ 4,000.00	\$ 6,115.67	\$ 10,115.67
SCAVENGER WASTE DEBT	385	\$ 200,000.00	\$ -	\$ 200,000.00
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 67,497.08	\$ 67,497.08
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMP'S	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 50,000.00	\$ -	\$ 50,000.00
YOUTH SERVICES	452	\$ 5,000.00	\$ 2,483.95	\$ 7,483.95
SENIORS HELPING SENIORS	453	\$ -	\$ 1,648.54	\$ 1,648.54
EISEP	454	\$ -	\$ 862.79	\$ 862.79
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 220,000.00	\$ -	\$ 220,000.00
MUNICIPAL GARAGE	626	\$ 55,000.00	\$ 26,866.47	\$ 81,866.47
TRUST & AGENCY	*735*	\$ -	\$ 740,070.59	\$ 740,070.59
SPECIAL TRUST	736	\$ 30,000.00	\$ -	\$ 30,000.00
COMMUNITY PRESERVATION FUND	737	\$ 550,000.00	\$ -	\$ 550,000.00
CDA-CALVERTON	914	\$ -	\$ 246.54	\$ 246.54
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ 50,000.00	\$ 16,360.22	\$ 66,360.22
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 15,777,150.00	\$ 2,169,380.61	\$ 17,946,530.61

RESOLUTION #1052 ABSTRACT #38-01 SEPTEMBER 25, 2001 (TBM 10/2/01)

Councilman Cardinal offered the following Resolution which was seconded by
Councilman Densieski

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 6,416.67	\$ 6,416.67
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 10,438.50	\$ 10,438.50
TEEN CENTER	005	\$ -	\$ 49.43	\$ 49.43
RECREATION PROGRAM	006	\$ -	\$ 99.61	\$ 99.61
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ 60.80	\$ 60.80
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 49.04	\$ 49.04
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ 18,485.14	\$ 18,485.14
WATER	112	\$ -	\$ 14,104.32	\$ 14,104.32
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 21,963.21	\$ 21,963.21
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 62.04	\$ 62.04
STREET LIGHTING	116	\$ -	\$ 241.56	\$ 241.56
PUBLIC PARKING	117	\$ -	\$ -	\$ -
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ -	\$ -
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 214.90	\$ 214.90
CALVERTON SEWER DISTRICT	124	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ -	\$ 2,938.75	\$ 2,938.75
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 129.57	\$ 129.57
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ -	\$ -
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ -	\$ -
MUNICIPAL GARAGE	626	\$ -	\$ -	\$ -
TRUST & AGENCY	*735*	\$ -	\$ 1,000.00	\$ 1,000.00
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 8,585.10	\$ 8,585.10
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 84,838.64	\$ 84,838.64

Tabled

RESOLUTION #1053

DIRECTS THE SUPERVISOR TO TAKE SPECIFIED ACTION REGARDING
CABLEVISION FRANCHISE AGREEMENT
COUNCILMAN CARDINALE OFFERED THE FOLLOWING RESOLUTION, WHICH WAS
SECONDED BY COUNCILMAN KENT.

WHEREAS, Cablevision has breached and continues to breach the current Franchise Agreement with the Town of Riverhead by refusing to place in operation a full-time second PEG channel to which the Town is entitled.

WHEREAS, The Town of Riverhead requested same on April 28, 2000 pursuant to contract, and Cablevision acknowledged receipt of such request.

WHEREAS, Cablevision has previously in their letter of August 26, 1999 acknowledged and classified Riverhead Town Board Meetings as "produced by the Town with the assistance of Cablevision staff" and recently reclassified Town Board Meetings as "Cablevision owned local origination programs".

WHEREAS, Cablevision has credited past productions of Town Board Meetings as being produced by the Town.

NOW, THEREFORE, be it resolved that the Town Board directs that the Supervisor, by copy of this Resolution, immediately give notice to Cablevision demanding it establish a second PEG channel as required in its current Franchise Agreement with the Town.

RESOLVED, that the Town Board directs that the Supervisor, by copy of this Resolution, immediately give notice to Cablevision demanding it cease and desist classifying East End Town Board Meetings as "local origination programming" and again classify same as "governmental programming".

RESOLVED, that the Town Board directs that the Supervisor, by copy of this Resolution, immediately give notice to Cablevision that, until a second PEG channel as required by the current Franchise Agreement is placed in operation and until East End Town Board meetings are properly classified governmental programming produced by the Town with the assistance of Cablevision staff, all further negotiation of any franchise renewal agreement shall be suspended.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joan Bocchieri Gilroy and Thomas Garger c/o Cablevision, 1600 Motor Parkway, Hauppauge, New York 11788-9006.

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

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON NOTED

Tabled