

TOWN OF RIVERHEAD
SPECIAL TOWN BOARD MEETING

OCTOBER 31, 2002

- Res. #1095** Authorizes the Release of Security Bond for Front and Center Properties
- Res. #1096** Approves Site Plan of Fresh Pond Marketplace
- Res. #1097** Approves Site Plan of Knightland, Inc. (Grace's Country Inn)
- Res. #1098** Bond Resolution Authorizing the Issuance of an Additional \$75,000 Serial Bonds of the Town of Riverhead, Suffolk County, New York, to Pay Additional Costs of the Acquisition of a Parcel of Land and the Building Thereon from the Congregational of the Jehova Witness, Located at 69 Shade Tree Lane, Aquebogue, in and for Said Town and the Reconstruction of Said Building for use as a Town Recreation Facility
- Res. #1099** Appoints Valerie Marvin, Esq. as a Hearing Officer in the Matter of a Disciplinary Proceeding Against a Town Employee
- Res. #1100** Riverhead Town Human Services Center Capital Project Budget Adjustment
- Res. #1101** Promotion of Public Safety Dispatcher II (William Fleming)
- Res. #1102** Promotion of Public Safety Dispatcher II (Charles Cichanowicz)

October 31, 2002

Tabled

TOWN OF RIVERHEAD

Resolution # 1094

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR RECREATION CENTER MANAGER

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

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the week of November 6, 2002 issue of The Suffolk County Life.

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

THE VOTE

Sanders <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<i>absent</i> Densieski <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

COUNCILMAN LULL offered the resolution to be TABLED, which was seconded by COUNCILWOMAN BLASS.

ALL MEMBERS IN FAVOR OF TABLING THE RESOLUTION.

Tabled

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Recreation Center Manager. The Town requests that all applicants have an Associates Degree from an accredited college, with prior management experience with public facilities. Physical condition should commensurate with requirements of the position. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:00pm on 11/15/02. EOE

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

TOWN OF RIVERHEAD

Adopted

Resolution # 1095

AUTHORIZES THE RELEASE OF SECURITY BOND FOR FRONT AND CENTER PROPERTIES

Councilwoman Sanders offered the following resolution to be *re-introduced*,

which was seconded by Councilman Lull

WHEREAS, Front & Center Properties / Robert Patchel has posted a cash bond, check #66918327, in the sum of Twelve Thousand Six Hundred Ninety Five Dollars (\$12,695) representing the 5% site plan security bond for work to be performed at 46 Front Street, So. Jamesport, New York 11970, Suffolk County Tax Map # 600-092.00-03-041.00 pursuant to Section 108-133(I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the performance bond (Check #66918327) in the sum of Twelve Thousand Six Hundred Ninety Five Dollars (\$12,695) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Robert Patchel, PO Box 81, South Jamesport, New York 11970, the Building Department; the Accounting Department, the Town Clerk and the Town Attorney's Office.

THE VOTE

Sanders Yes No

Blass Yes No

absent
Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TabledOctober 31st, 2002

TOWN OF RIVERHEAD

Resolution # 1096**APPROVES SITE PLAN OF FRESH POND MARKETPLACE**Councilman Lull offered the following resolution,which was seconded by Councilman ~~Densieski~~ :

WHEREAS, a site plan and elevations were submitted by Michael Jacobchek, for renovations to an existing building facade, located at North side of Middle Country Road (SR 25), Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-97-2-36; and

WHEREAS, the Planning Department has reviewed the site plan dated October 18th, 2002, as prepared by Martin Sendlewski, AIA, and elevations dated October 9th, 2002, as prepared by Martin Sendlewski, AIA, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Michael Jacobchek, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Michael Jacobchek, for renovations to an existing building facade, located at North side of Middle Country Road (SR 25), Calverton, New York, site plan dated October 18th, 2002, as prepared by Martin Sendlewski, AIA, and elevations dated October 9th, 2002 as prepared by Martin Sendlewski, AIA, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

Town of Riverhead to enter premises at North side of Middle Country Road (SR 25), Calverton, New York, to enforce said handicapped parking regulations;

- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all new utilities shall be constructed underground;
- 12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

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

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

ALL MEMBERS IN FAVOR OF TABBING THE RESOLUTION.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densiecki	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Luti	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Tabled

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2000, made by Michael Jacobchek, residing at c/o Birchwood Restaurant, Pulaski Street, Riverhead, New York 11901, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Michael Jacobchek hereby authorizes and consents to the Town of Riverhead to enter premises at North side of Middle Country Road (SR 25), Calverton, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

Michael Jacobchek

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

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

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

NOTARY PUBLIC

October 31s, 2002

Tabled

TOWN OF RIVERHEAD

Resolution # 1097**APPROVES SITE PLAN OF OF KNIGHTLAND, INC.**
(GRACE'S COUNTRY INN)

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

WHEREAS, a site plan and elevations were submitted by Knightland, Inc., to construct 100 seat restaurant and a 50 room country inn, located at NYS Route 25A, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-75-01-03; and

WHEREAS, the Planning Department has reviewed the site plan dated Young and Young, LS., as prepared by September 27th, 2002, and elevations dated Angelo S. Nicosia, P.E., as prepared by October 8, 2002, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, That in the matter of the site plan application of Knightland, Inc., the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Unlisted Pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Knightland, Inc., to construct 100 seat restaurant and a 50 room country inn, located at NYS Route 25A, Wading River, New York, site plan dated Young and Young, LS., as prepared by September 27th, 2002, and elevations dated Angelo S. Nicosia, P.E., as prepared by October 8th, 2002, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

of Riverhead to enter premises at NYS Route 25A, Wading River, New York , New York, to enforce said handicapped parking regulations;

- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all new utilities shall be constructed underground;
- 12. That pursuant to Section 108-133(I) of the Code of the Town of Riverhead, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED; that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter Danowski, 616 Roanoke avenue, Riverhead, New York 11901, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

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

ALL MEMBERS IN FAVOR OF TABLING THE RESOLUTION.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON ADOPTED

Tabled

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2002, made by Knightland, Inc., residing at c/o Eastwind Country Inn, Route 25A, Wading River, New York 11792, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Knightland, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at NYS Route 25A, Wading River, New York , New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

Knightland, Inc.

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

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

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

NOTARY PUBLIC

Adopted

RESOLUTION # 1098

72113-3161P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on October 31, 2002, at 9:30 o'clock A .M., Prevailing Time.

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

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

Also Present: Town Clerk, Barbara Grattan

ABSENT: Councilman Edward Densieski

The following resolution was offered by Councilman Lull, who moved
its adoption, seconded by ~~Councilman~~ ^{Councilwoman} Sanders, to-wit:

BOND RESOLUTION DATED OCTOBER 31, 2002.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$75,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY ADDITIONAL COSTS OF THE ACQUISITION OF A PARCEL OF LAND AND THE BUILDING THEREON FROM THE CONGREGATION OF THE JEHOVA WITNESS, LOCATED AT 69 SHADE TREE LANE, AQUEBOGUE, IN AND FOR SAID TOWN AND THE RECONSTRUCTION OF SAID BUILDING FOR USE AS A TOWN RECREATION FACILITY.

WHEREAS, by bond resolution dated November 21, 2000, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of \$2,750,000 serial bonds of said Town to pay the cost of the acquisition of approximately two acres from the Congregation of Jehovah Witness, located at 69 Shade Tree Lane, Aquebogue, in and for the Town of Riverhead, Suffolk County, New York, including the building located thereon, and the reconstruction of said building for use as a Town recreation facility, including, in each case, incidental expenses in connection therewith; and

WHEREAS, it has now been determined that the maximum estimated cost of the aforescribed acquisition of land and reconstruction is \$2,825,000, an increase of \$75,000 over that previously authorized; and

WHEREAS, is it now desired to provide for the issuance of an additional \$75,000 serial bonds of said Town to pay additional costs thereof; NOW, THEREFORE, BE IT

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

Section 1. For the specific objects or purposes of paying additional costs of the acquisition of approximately two acres from the Congregation of Jehovah Witness, located at 69 Shade Tree Lane, Aquebogue, in and for the Town of Riverhead, Suffolk County, New York, including the

building located thereon, and the reconstruction of said building for use as a Town recreation facility, including, in each case, incidental expenses in connection therewith, there are hereby authorized to be issued an additional \$75,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific objects or purposes is now determined to be \$2,825,000, and that the plan for the financing thereof is as follows:

- a. the issuance of the \$2,750,000 serial bonds of said Town authorized to be issued pursuant to bond resolution dated November 21, 2000; and
- b. By the issuance of the additional \$75,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is twenty years, pursuant to subdivision 92 of paragraph a of Section 11.00 of the Local Finance Law, as each object or purpose in the aforesaid specific objects or purposes has a period of probable usefulness of twenty years under subdivisions 21(a), 11(a)(1) or 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, computed from October 2, 2001 the date of issuance of the first obligations issued therefor.

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

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

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

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

Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor,

providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

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

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

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

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

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

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

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

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

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

The resolution was thereupon declared duly adopted.

* * * *

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

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the resolution contained therein, held on October 31, 2002, with the original
thereof on file in my office, and that the same is a true and correct transcript therefrom and of the
whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date given

Suffolk County Life

October 31, 2002

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

Designated Location(s) of posted notice	<u>Date of Posting</u>
Town Clerk's Bulletin Board	November 1, 2002

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on October 31, 2002.

Town Clerk

(CORPORATE
SEAL)

October 31, 2002

Adopted

TOWN OF RIVERHEAD

1099

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

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

WHEREAS, the Town Board wishes to appoint a hearing officer to consider disciplinary charges against an employee and suspending that employee without pay pursuant to the terms of the CSEA Collective Bargaining Agreement;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby appoints Valerie Marvin, Esq. as the hearing officer in the disciplinary charges brought against a Town Employee; and

RESOLVED, that the Town Board hereby reconfirms that the employee is suspended without pay pending the determination of the charges; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Valerie Marvin, Esq. and Richard K. Zuckerman, Esq.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski ^{absent} Yes No

Lull Yes No

Kozakiewicz Yes No

OCTOBER 31, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 1100

RIVERHEAD TOWN HUMAN SERVICES CENTER

CAPITAL PROJECT

BUDGET ADJUSTMENT

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

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

		FROM:
406.095731.494200.40091	SERIAL BOND PROCEEDS	\$75,000.
406.071400.547900.40091	CONTINGENCY	11,000.
406.071400.521000.40091	LAND ACQUISITION	5,000.
		TO:
406.071400.522150.40091	CONSTRUCTION	\$45,000.
406.071400.524000.40091	EQUIPMENT	46,000.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

October 31, 2002

TOWN OF RIVERHEAD

Resolution # 1101

PROMOTION OF PUBLIC SAFETY DISPATCHER II

COUNCILMAN LULL

_____ offered the following

resolution, which was seconded by **COUNCILWOMAN SANDERS**

WHEREAS, the Suffolk County Department of Civil Service has established List #02A-580, on August 1, 2002, for position #00-0178-139 Public Safety Dispatcher II; and

WHEREAS, the list was canvassed and interviews were held on September 27, 2002; and

WHEREAS, William Fleming currently serves as a Public Dispatcher I; and

WHEREAS, the Town Board Personnel Committee has recommended William Fleming for the position;

NOW, THEREFORE, BE IT RESOLVED, effective November 4, 2002, William Fleming is hereby appointed to the position of Public Safety Dispatcher II, at the salary stated in the CSEA contract, Group 2, Step 5 of the Public Safety Dispatcher Salary Schedule and

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

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

