

Barbara Grattan
Town Clerk

**TOWN BOARD MEETING
AGENDA**

November 21st, 2000

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 Barnés
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

- Res. #1001 Approves Request for Leave of Absence (Maribeth Vail)**
- Res. #1001-A Adopts Town of Riverhead 2001 Annual Budget**
- Res. #1002 Authorizes Attendance of Chief of Police at A.D.J.S. Training Conference**
- Res. #1003 Approves Request for Military Leave of Absence**
- Res. #1004 Appoints Maintenance Mechanic II in the Department of Buildings and Grounds (Steven Mckay)**
- Res. #1005 Appoints Maintenance Mechanic II in the Department of Buildings and Grounds (Juan Ayala)**
- Res. #1006 Appoints Maintenance Mechanic IV in the Department of Buildings and Grounds (Guy Cawley)**
- Res. #1007 Appoints Crossing Guards to the Police Department**
- Res. #1008 Accepts Resignation & Appoints Member to the Riverhead Town Board of Ethics (appoint Frank Yakaboski)**
- Res. #1009 Appoints Temporary Clerks to the Tax Receiver's Office**
- Res. #1010 Accepts S.C.N.B. Irrevocable Letter of Credit of Gendot Associates, Inc. (Road & Drainage Improvements)**
- Res. #1011 Authorization to Publish Bid for Street Light and Traffic Signal Maintenance Repair Parts**
- Res. #1012 Authorization to Publish Bid for Building Materials**
- Res. #1013 Authorization to Publish Bid for #4 Fuel Oil**
- Res. #1014 Amends Resolution #971 (Authorizes the Town Clerk to Advertise for Sealed Bids for the Purchase of None New Ford F450 Super Duty w/Telelect Hi Ranger TL36P Aerial Lift Device**
- Res. #1015 Authorizes Supervisor to Release Petty Cash Monies to Receiver of Taxes**
- Res. #1016 General Fund Budget Adjustment**
- Res. #1017 Local Street & Highway Capital Project Budget Adjustment**

- #1018** Sewer Plant Upgrade Capital Project Budget Adjustment
- #1019** Y2K Police E911 Capital Project Budget Adjustment
- #1020** Sewer District Budget Adjustment
- #1021** Joint Scavenger Waste District Budget Adjustment
- #1022** Highway Department Budget Adjustment
- #1023** Authorizes the Supervisor to Execute and Submit a Grant Application to Suffolk County for Fiscal Year 2001 Community Development Block Grant Funds
- #1024** Authorizes Extension of Time to Remit Real Property Taxes for Senior Citizens Receiving an Exemption Pursuant to Section 467 of RPTL
- #1025** Authorizes the Purchase of E911 Equipment for the Riverhead Town Police Department
- #1026** Approves Amended Site Plan of Atlantis Marine World, LLC
- #1027** Approves Site Plan of Swan Lake Golf Course Club Addition
- #1028** Rescinds Resolutions numbers 649 and 650 of 1999
- #1029** Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Assessment Clerk
- #1030** Authorizes Town Clerk to Post and Publish Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 (Vehicles & Traffic) of the Riverhead Town Code
- #1031** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Definition of Special Permit)
- #1032** Refers Special Permit Petition of Sound Housing, Inc. (Willow Ponds) to the Riverhead Planning Board
- #1033** Approves Special Permit- Blue Meadow Farm Bed & Breakfast (William A. Rule)

- #1034** Approves Amended Site Plan of Baiting Hollow Commons (Frederick H. Terry)
- #1035** Approves Phased Site Plan of Riverhead Daewoo, Inc.
- #1036** Community Development Agency- Calverton Budget Adjustment
- #1037** Refers Special Permit Petition- Riverhead Centre, LLC to the Riverhead Planning Board
- #1038** Authorizes the Law Firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP as Special Counsel in Connection with the Article 78 Proceeding Entitled, "Headriver LLC vs. Town Board of the Town of Riverhead"
- #1039** 55 Laurin Road Chapter 96 Capital Project Budget Adoption
- #1040** Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, "Trash, Rubbish and Refuse Disposal" of the Riverhead Town Code (5 Andrea Court)
- #1041** Authorizes the Town of Riverhead to Secure, Demolish, or Remove Unsafe Buildings or Structures Pursuant to Chapter 54 of the Riverhead Town Code (James & Holly Ritter, 29 Midland Drive)
- #1042** Appoints Full-Time Account Clerk Typist in the Community Development Office
- #1043** Adopts Local Law #12-2000 to the Riverhead Town Code to be Known as Chapter 89, Entitled, "Calverton Sewer District Sewer Use Ordinance"
- #1044** Pays Bills
- #1045** Establishes a Reward (\$1,000 - EPCAL Fence)

11/21/00

TOWN OF RIVERHEAD

Adopted

Resolution # 1001

APPROVES REQUEST FOR LEAVE OF ABSENCE

COUNCILMAN KENT

_____ offered the following

COUNCILMAN LULL

resolution, which was seconded by _____

WHEREAS, Maribeth Vail, an Assessment Clerk, has requested a 6-month, non-paid leave of absence from the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that Maribeth Vail's request for a non-paid leave of absence from January 3, 2001 to June 3, 2001 is here by approved subject to the following condition(s):

(1) To facilitate the proper functioning of the Town offices, the employee shall submit written notice to the Town Supervisor of her intent to return to work, resign, retire or other relief at least thirty (30) days prior to the expiration of the leave of absence, and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Maribeth Vail, the Assessor's Office, and the Office of Accounting.

THE VOTE

Densleski Yes ___ No ___ Cardinal Yes ___ No ___

Kent Yes ___ No ___ Lull Yes ___ No ___

Kozakiewicz Yes ___ No ___

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

THEREUPON DULY ADOPTED

Adopted

NOVEMBER 21, 2000

TOWN OF RIVERHEAD

1001-A

ADOPTS TOWN OF RIVERHEAD 2001 ANNUAL BUDGET

COUNCILMAN LULL

_____ offered the following resolution,

which was seconded by **COUNCILMAN KENT** _____

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider the adoption of the Town of Riverhead 2001 Annual Budget; and

WHEREAS, a public hearing was held on the 8th day of November, 2000 at 7:35 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 Town of Riverhead 2001 Annual Budget be, and hereby is, adopted.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

November 21, 2000

Town of Riverhead

Adopted

Resolution # 1002

AUTHORIZES ATTENDANCE OF CHIEF OF POLICE AT A D.C.J.S. TRAINING CONFERENCE

COUNCILMAN LULL

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

WHEREAS, Police Chief Grattan has requested authorization from the Riverhead Town Board for the attendance of the Police Chief at a D.C.J.S. Training Conference;

AND WHEREAS, the Training Conference will be held in Albany on November 28th, 2000.

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

BE IT FURTHER RESOLVED that the Town Board authorizes reimbursement of expenses upon submission of proper receipts; and

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT _____
 THEREUPON DULY ADOPTED

11/21/00

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1003

APPROVES REQUEST FOR MILITARY LEAVE OF ABSENCE

Adopted: November 21, 2000

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

WHEREAS, an employee of the Town of Riverhead has been ordered to active duty for military training beginning December 17, 2000 through March 3, 2001; and

WHEREAS, a copy of the military request has been forwarded to the payroll department.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board be and does hereby approve the request for a military leave of absence from December 17, 2000 through March 3, 2001; and

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

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

Adopted

Resolution # 1004

APPOINTS MAINTENANCE MECHANIC II
IN THE DEPARTMENT OF BUILDINGS AND GROUNDS

COUNCILMAN DENSIESKI offered the following

resolution, which was seconded by COUNCILMAN CARDINALE

WHEREAS, a vacancy exist in the Department of Buildings and Grounds, and

WHEREAS, this position was duly posted, advertised and interviews have been conducted, and

WHEREAS, the it is the recommendation of the Personnel Committee and the Department Head has been received.

NOW, THEREFORE, BE IT RESOLVED, that effective December 4, 2000 Steven McKay is appointed to the position of Maintenance Mechanic II as found on Group 7, Step P of the Operational and Technical Salary Schedule of the CSEA Contract, and

BE IT FURTHER, RESOLVED, that as a condition of employment in this title the employee must maintain a clean, valid, NYS Commercial Drivers License.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Steven McKay, the Department of Buildings and Grounds, 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

TOWN OF RIVERHEAD

Resolution # 1005

Adopted

**APPOINTS MAINTENANCE MECHANIC II
IN THE DEPARTMENT OF BUILDINGS AND GROUNDS**

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

WHEREAS, a vacancy now exists in the Department of Buildings and Grounds, and

WHEREAS, this position was duly posted, advertised and interviews have been conducted, and

WHEREAS, the recommendation of the Personnel Committee and the Department Head has been received.

NOW, THEREFORE, BE IT RESOLVED, that effective December 4, 2000 Juan Ayala is appointed to the position of Maintenance Mechanic II as found on Group 7, Step P of the Operational and Technical Salary Schedule of the CSEA Contract, and

BE IT FURTHER, RESOLVED, that as a condition of employment in this title the employee must maintain a clean, valid, NYS Commercial Drivers License.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Juan Ayala, the Department of Buildings and Grounds, and the Office of Accounting.

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

11/21/00

TOWN OF RIVERHEAD

Adopted

Resolution # 1006

APPOINTS MAINTENANCE MECHANIC IV
IN THE DEPARTMENT OF BUILDINGS AND GROUNDS

COUNCILMAN LULL offered the following

resolution, which was seconded by COUNCILMAN CARDINALE

WHEREAS, a vacancy now exists in the Department of Buildings and Grounds, and

WHEREAS, this position was duly posted, advertised and interviews have been conducted, and

WHEREAS, the recommendation of the Personnel Committee and the Department Head has been received.

NOW, THEREFORE, BE IT RESOLVED, that effective December 4, 2000 Guy Cawley is appointed to the position of Maintenance Mechanic IV as found on Group 10, Step 7 of the Operational and Technical Salary Schedule of the CSEA Contract, and

BE IT FURTHER, RESOLVED, that as a condition of employment in this title the employee must maintain a clean, valid, NYS Commercial Drivers License.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Guy Cawley, the Department of Buildings and Grounds, 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

November 21, 2000

TOWN OF RIVERHEAD

Adopted

Resolution # 1007

APPOINTS CROSSING GUARDS TO THE POLICE DEPARTMENT

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

WHEREAS, the need for Part-time Crossing Guards exists in the Police Department; and

WHEREAS, pursuant to interviews, a recommendation has been made by the Chief of Police to hire Anna Layton, Richard Heinen and William Gable to these part-time positions.

NOW, THEREFORE, BE IT RESOLVED, effective November 21, 2000, Anna Layton, Richard Heinen and William Gable are appointed to the position of Part-time Crossing Guard at an hourly rate of pay of \$9.30; and

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

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

08/01/00

STATUS _____

TOWN OF RIVERHEAD

Resolution # 1008

ACCEPTS RESIGNATION
& APPOINTS MEMBER
TO THE RIVERHEAD TOWN BOARD OF ETHICS

Councilman Densieski offered the following resolution,

which was seconded by Councilman Lull

WHEREAS, it has been deemed necessary for a Board of Ethics for the Town of Riverhead to be established; and

WHEREAS, in accordance with Section 18-3 of the Riverhead Town Code, the Riverhead Town Board of Ethics shall consist of five (5) members, four (4) of whom shall be residents of the Town of Riverhead who are not Town of Riverhead employees or officers, who shall serve without compensation and at the pleasure of the Town Board. The fifth member shall be the Town Attorney ex officio.

WHEREAS, Thomas F. Whelan was previously appointed as a member of the Riverhead Town Board of Ethics, but has since been elected to the Suffolk County Supreme Court and therefore has submitted a letter of resignation from Riverhead Town Board of Ethics, dated November 14, 2000.

NOW, THEREFORE BE IT RESOLVED, that Frank Yakaboski be and is hereby appointed to the Town of Riverhead Board of Ethics for a term of one (1) year commencing the 5th day of July, 2000:

BE IT FURTHER, RESOLVED, that a certified copy of this resolution be forwarded to the Town Clerk and.

THE VOTE

COUNCILMAN LULL OFFERED THE RESOLUTION FOR AMENDMENT, WHICH WAS SECONDED BY COUNCILMAN KENT.

Cardinale Yes No

Densieski Yes No

ALL MEMBERS IN FAVOR OF AMENDMENT.

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

11/21/00

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 1009
Adopted November 21, 2000

APPOINTS TEMPORARY CLERKS TO THE TAX RECEIVER'S OFFICE

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

WHEREAS, this Town Board recognizes the need to provide additional
clerical personnel to the Office of the Receiver of Taxes to assist in the
processing of tax money.

NOW, THEREFORE, BE IT RESOLVED, that Sharon Bilunas and Beth
Koroleski be and are hereby appointed as temporary clerks at an hourly rate of
compensation of \$9.0834 effective December 22, 2000 through January 19,
2001; and

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby
authorized to forward a copy of this resolution to Sharon Bilunas, 728 Herricks
Lane, P.O. Box 616, Jamesport, New York; Beth Koroleski, P.O. Box 688,
Jamesport, New York; Diane M. Stuke, Receiver of Taxes; and the Office of
Accounting.

THE VOTE
Densleski Yes No Cardinale Yes No
Kent Yes No Lall Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 1010

ACCEPTS S.C.N.B. IRREVOCABLE LETTER OF CREDIT OF GENDOT ASSOCIATES, INC. (ROAD & DRAINAGE IMPROVEMENTS)

COUNCILMAN CARDINALE

offered the following resolution, was seconded by

COUNCILMAN KENT :

WHEREAS, by resolution adopted on September 8, 2000, the Riverhead Planning Board conditionally approved the subdivision known as the "Cluster Subdivision Map – Gendot Associates, Inc.", with one of the conditions of final approval being the submission and filing of a performance bond or other acceptable form of performance security in the amount of \$125,500 covering the road and drainage improvements within said subdivision; and

WHEREAS, Gendot Associates, Inc. has submitted to the Town an Irrevocable Letter of Credit drawn by Suffolk County National Bank, Letter of Credit No. 001101 in the amount of \$125,500.00, having an expiration date of October 31, 2002; and

WHEREAS, the Town Attorney has reviewed said S.C.N.B. Irrevocable Letter of Credit No. 001101 and has determined that same is satisfactory in its form.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby accepts S.C.N.B. Irrevocable Letter of Credit No. 001101 in the amount of \$125,500.00 having an expiration date of October 31, 2002, covering the road and drainage improvements within said subdivision; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., as attorney for Gendot Associates, Inc., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901; the Planning Department; the Planning Board; the Building Department and the Office of the Town Attorney.

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

November 21, 2000

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 1011

AUTHORIZATION TO PUBLISH BID FOR
STREET LIGHT AND TRAFFIC SIGNAL MAINTENANCE REPAIR PARTS

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

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to
advertise for sealed bids for the purchase of **STREET LIGHT AND TRAFFIC
SIGNAL MAINTENANCE REPAIR PARTS** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the
following public notice in the **November 30, 2000** issue of the News Review.

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **STREET LIGHT AND TRAFFIC SIGNAL MAINTENANCE REPAIR PARTS** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead-at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:05 a.m. on December 13, 2000.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR STREET LIGHT AND TRAFFIC SIGNAL MAINTENANCE REPAIR PARTS.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

November 21, 2000

TOWN OF RIVERHEAD

Adopted

RESOLUTION# 1012

AUTHORIZATION TO PUBLISH BID FOR
BUILDING MATERIALS

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

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to
advertise for sealed bids for the purchase of **BUILDING MATERIALS** for use by the
Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the
following public notice in the **November 30, 2000** issue of the News Review.

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **BUILDING MATERIALS** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on December 13, 2000.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR BUILDING MATERIALS.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

November 21, 2000

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 1013

AUTHORIZATION TO PUBLISH BID FOR
#4 FUEL OIL

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

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of #4 FUEL OIL for use by the Town of Riverhead at the Calverton Site.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the November 30, 2000 issue of the News Review.

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

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

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **#4 FUEL OIL** for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:10 am** on **December 13, 2000**.

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR #4 FUEL OIL**.

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

Barbara Grattan, Town Clerk

Town of Riverhead

1849
Withdrawn

Resolution # 1014
Adopted November 21, 2000

Amends Resolution #971

COUNCILMAN DENSIESKI

offered the following resolution which

COUNCILMAN CARDINALE

was seconded by

WHEREAS, Resolution #971, adopted on November 8, 2000 authorizing the Town Clerk to advertise for sealed bids for the purchase of ONE NEW FORD F450 SUPER DUTY W/TELELECT HI RANGER TL36P AERIAL LIFT DEVICE for the use of the Highway Department and sufficient time for advertising was not allowed,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby authorizes the Town Clerk to advertise for sealed bids for One New Ford F450 Super Duty W/Telelect Hi Ranger TL36P Aerial Lift Device for the use of the Riverhead Highway Department, AND BE IT,

RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highways, and all bids to be returnable up to 11:00 AM on November 27, 2000, AND BE IT FURTHER,

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to open publicly and read aloud on November 27, 2000 at 11:00 AM at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids with the designation "BID ON ONE NEW FORD F450 SUPER DUTY W/TELELECT HI RANGER TL36P AERIAL LIFT DEVICE".

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE WITHDRAWN, WHICH WAS SECONDED BY COUNCILMAN LULL.

BY ORDER OF:
The Riverhead Town Board
Barbara A. Grattan, Town Clerk

ALL MEMBERS IN FAVOR OF WITHDRAWING THE RESOLUTION.

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

Withdrawn

NOTICE TO BIDDERS

1850

Sealed bids for the purchase of "ONE (1) NEW FORD F450 SUPER DUTY W/TELELECT HI RANGER TL36P AERIAL LIFT DEVICE or EQUAL" for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until 11:00 A.M. on November 27, 2000.

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

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

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

All bids will be submitted to the Town Clerk's office in a sealed envelope bearing the designation "BID on ONE (1) NEW FORD F450 SUPER DUTY W/TELELECT HI RANGER TL36P AERIAL LIFT DEVICE OR EQUAL".

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

11/21/00

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1015
Adopted November 21, 2000

AUTHORIZES SUPERVISOR TO RELEASE PETTY CASH MONIES TO RECEIVER OF TAXES

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

RESOLVED, that the Supervisor be and is hereby authorized to release \$200.00 to the Receiver of Taxes from the Petty Cash Fund Account established for Petty Cash Fund purposes for the office of Receiver of Taxes, pursuant to Section 64-1 of Town Law.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Diane M. Stuke, Receiver of Taxes, 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

TOWN OF RIVERHEAD

Adopted

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 1016

COUNCILMAN LULL offered the following resolution ,

which was seconded by COUNCILMAN KENT

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

		FROM:	
001.013550.542600	ASSESSORS, PRINTING EXPENSE	\$600.	
001.013550.543400	ASSESSORS, EDUCATION	600.	
			TO:
001.013550.541500	ASSESSORS, CAR EXPENSE		\$500.
001.013550.542100	ASSESSORS, OFFICE SUPPLES		700.
		FROM:	
001.014100.542314	TOWN CLERK, PHOTO SUPPLIES	\$144.	
			TO:
001.014100.542602	TOWN CLERK, STATIONARY EXPENSE		\$144.
		FROM:	
001.031520.421062	POLICE, ACCIDENT REPORTS	\$1,000.	
001.031200.542115	POLICE, SUPPLIES FOR COPY MACHINE	1,000.	
001.031200.524260	POLICE, TYPEWRITERS	500.	
001.031200.541540	POLICE, CLEANING OF POLICE VEHICLES	200.	
			TO:
001.031200.542314	POLICE, PHOTO SUPPLIES		\$1,000.
001.031200.542113	POSTAGE		500.
001.031200.542802	SUPPLEMENTAL LAW BOOKS		600.
001.031200.542600	PRINTING EXPENSE		600.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

TOWN OF RIVERHEAD

Adopted

Resolution # 1017

LOCAL STREET & HIGHWAY

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN CARDINALE

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:

451.053589.492500.80051 TRANSPORTATION STATE AID

FROM:

\$30,000.

451.051100.541300.80051

ROAD REPAIR & MAINTENANCE

TO:

\$30,000.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

NOVEMBER 21, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 1018

SEWER PLANT UPGRADE

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KENT

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

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

406.081300.547900.60050 CONTINGENCY

FROM:
\$20,000.

406.081300.523016.60050 CONSTRUCTION

TO:
\$20,000.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

NOVEMBER 21, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 1019

Y2K POLICE E911 CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN LULL

_____ offered the following resolution ,

which was seconded by COUNCILMAN CARDINALE

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

FROM:

406.031200.542100.40083	MISC. OFFICE SUPPLIES	\$1,315.
3.031200.524201.40083	COMPUTER EQUIPMENT	6,870.
406.031200.524210.40083	COMMUNICATION EQUIPMENT	11,175.
406.031200.524214.40083	RADIO EQUIPMENT	12,000.

TO:

406.031200.524217.40083 RECORDING EQUIPMENT **\$31,360.**

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

TOWN OF RIVERHEAD

Adopted

Resolution # 1020

SEWER DISTRICT

BUDGET ADJUSTMENT

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

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

		FROM:
114.081300.546204	STATION ELECTRICITY	\$3,600.
		TO:
114.081300.542506	PLANT SUPPLIES	\$3,000.
114.081300.546100	TELEPHONE EXPENSE	600.

THE VOTE

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

TOWN OF RIVERHEAD

Resolution # 1021

Adopted

JOINT SCAVENGER WASTE DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN CARDINALE

offered the following resolution ,

which was seconded by COUNCILMAN KENT

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

918.081890.546203 PLANT ELECTRICITY

FROM:
\$1,100.

918.081890.546100 TELEPHONE EXPENSE
918.081890.546304 PLANT FUELS

TO:
\$600.
500.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

TOWN OF RIVERHEAD

Adopted

HIGHWAY DEPARTMENT
BUDGET ADJUSTMENT

RESOLUTION # 1022

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:

111.051400.541306 DRAINAGE EXPENSE

FROM:

\$6,000.

111.051400.541303 TRAFFIC PAINT

TO:

\$6,000.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

11/21/00

1859

Adopted

TOWN OF RIVERHEAD
Resolution # 1023
11/21/00

AUTHORIZES THE SUPERVISOR TO EXECUTE AND SUBMIT A GRANT
APPLICATION TO SUFFOLK COUNTY FOR FISCAL YEAR 2001
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

COUNCILMAN CARDINALE

_____ offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI** _____

WHEREAS, the Town of Riverhead annually requests Community Development Block Grant funds from the United States Department of Housing and Urban Development for benefit to low and moderate income persons and for the prevention of slum and blight; and

WHEREAS, the Town of Riverhead has complied with the citizen participation requirements of the Community Development Block Grant Program; and

WHEREAS, the Town of Riverhead possesses the legal authority to make a grant application and to execute a community development and housing program.

THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute and submit a grant application to the Suffolk County Department of Community Development as grantee of Community Development Block Grant funds from the United States Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED, that upon approval by the grantor, the Town Board authorizes the Supervisor to execute the required agreement between Suffolk County and the Town of Riverhead and to undertake the program as approved.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to provide a certified copy of this resolution to Joseph T. Sanseverino, Suffolk County Community Development Director, H. Lee Dennison Building, P.O. Box 6100, Hauppauge, New York 11788 and Andrea Lohneiss, Community Development Director.

THE VOTE

Densieski Yes No Cardinale Yes No
Kent Yes No Lull Yes No
Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1024

AUTHORIZES EXTENSION OF TIME TO REMIT REAL PROPERTY TAXES FOR SENIOR CITIZENS RECEIVING AN EXEMPTION PURSUANT TO SECTION 467 OF RPTL

ADOPTED: November 21, 2000

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

WHEREAS, Section 925-b of the Real Property Tax Laws of the State of New York allows an extension of time to pay real property taxes for all residents receiving a Senior Citizens Tax Exemption pursuant to §467; and

WHEREAS, due to a lapse of time between receipt of Social Security checks and the deadline for payment of taxes on May 31; and

WHEREAS, the law allows for an extension of time of up to five business days without penalty or interest; and

WHEREAS, Receiver of Taxes Diane M. Stuke recognizes the need to assist our seniors in the payment of their real property taxes without penalization due to the time lapse between Social Security checks and the May 31 deadline;

THEREFORE, the payment of real property taxes for Senior Citizens receiving an exemption pursuant to §467 of the New York State Real Property Tax Law is hereby extended to Monday, June 5, 2001.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead authorizes the Town Clerk to forward a certified copy of this resolution to Diane M. Stuke, Receiver of Taxes.

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

NOVEMBER 21, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 1025

AUTHORIZES THE PURCHASE OF E911 EQUIPMENT FOR THE
RIVERHEAD TOWN POLICE DEPARTMENT

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

WHEREAS, the County of Suffolk has agreed to distribute some of the proceeds of the E911 surcharge to the Town of Riverhead; and

WHEREAS, and the County of Suffolk wishes to standardize on E911 recording equipment to be utilized by all eleven Public Safety Answering Points in the County; and

WHEREAS, to standardize equipment throughout the eleven Public Safety Answering Points within Suffolk County, the County of Suffolk has recommended an Eventide Voice Recorder Model #320 and three Eventide DIR911 Digital Instant Recorders including training, installation and delivery be purchased from Mayday Communications Inc. of Farmingdale;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the acquisition of this equipment from Mayday Communication for the purchase price of \$31,360.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is directed to forward a copy of this Resolution to the Office of Accounting.

THE VOTE

Cardinale Yes NoDensieski Yes NoKent Yes NoLull Yes NoKozakiewicz Yes No

November 21st, 2000

Adopted

TOWN OF RIVERHEAD

Dated 11/21/2000
Resolution # 1026

APPROVES AMENDED SITE PLAN OF ATLANTIS MARINE WORLD, LLC.

COUNCILMAN LULL

_____ offered the following resolution,

COUNCILMAN CARDINALE

which was seconded by _____.

WHEREAS, by resolution number 576 of 1999, the Riverhead Town Board did approve the site plan application as prepared by Burton, Behrendt, Smith, P.C. dated June 15th, 1999 to allow the development of an aquarium facility on real property located at New York State Route 25, Riverhead; and

WHEREAS, an amended site plan application has been made by Atlantis Marine World, LLC to provide for the construction of a concrete stadium in an area originally approve as an un-improved "special events area", as well as a reconfiguration of an approved landscaped area within the front yard; and

WHEREAS, the Riverhead Planning Department has reviewed the site plan as prepared by Burton, Behrendt, Smith, P.C. dated May 17th, 2000 and has recommended to the Town Board that said site plan be approved; and

WHEREAS, based upon the Town Board's review of the environmental Assessment Form; and

WHEREAS, a copy of the site plan has been marked and initialed; and

WHEREAS, the site plan amendment 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 32505 of the Office of the Supervisor of the Town of Riverhead; and

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

NOW, THEREFORE BE IT

RESOLVED, that the Riverhead Town Board hereby amends the site plan approval of Atlantis Marine World, LLC to allow for a construction of a concrete stadium as depicted upon the site plan prepared by Burton, Behrendt, Smith, P.C. dated May 17th, 2000.

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

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Atlantis Marine World, LLC, 469 East Main Street, Riverhead, New York 11901 the Riverhead Planning Department, Building Department, Town Engineer, Assessor's Office and Office of the Town Attorney.

November 21, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 1027

APPROVES SITE PLAN OF SWAN LAKE GOLF COURSE CLUB ADDITION

COUNCILMAN CARDINALE

offered the following resolution,

COUNCILMAN KENT

which was seconded by _____:

WHEREAS, a site plan and elevations were submitted by Donald Jurgens, for construction of an addition to an existing clubhouse building, located at 388 River Road, Manorville, New York, known and designated as Suffolk County Tax Map Number 0600-142-1-1.3; and

WHEREAS, the Planning Department has reviewed the site plan dated June 28, 2000, as prepared by Thomas C. Wolpert, P.E., and elevations dated June 28, 2000, as prepared by Thomas C. Wolpert, P.E., 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 32001 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 Donald Jurgens, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II action Pursuant to 6NYCRR Part 617.5 (c) (f).

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Donald Jurgens, for construction of an addition to an existing clubhouse building, located at 388 River Road,

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Manorville, New York, site plan dated June 28, 2000, as prepared by Thomas C. Wolpert, P.E., and elevations dated June 28, 2000, as prepared by Thomas C. Wolpert, P.E., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Donald Jurgens, President hereby authorizes and consents to the Town of Riverhead to enter premises at 388 River Road, Manorville, 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 Donald Jurgens, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2000, made by Donald Jurgens, President, residing at Swan Lake Golf Corp., 388 River Road, Manorville, New York 11949, 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, Donald Jurgens, President hereby authorizes and consents to the Town of Riverhead to enter premises at 388 River Road, Manorville , 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.

Donald Jurgens, President

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

November 21, 2000

Adopted**TOWN OF RIVERHEAD**Resolution # 1028**RESCINDS RESOLUTIONS NUMBERS 649 AND 650 OF 1999**

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

WHEREAS, by resolution number 849 of 1998, the Riverhead Town Board did amend the Master Plan of the Town of Riverhead to provide for the comprehensive redevelopment of the former Calverton Naval Weapons Industrial Reserve Plant at Calverton, New York, and

WHEREAS, by resolution number 830 of 1999, the Riverhead Town Board did implement the comprehensive redevelopment plan of the Calverton Naval Weapons Industrial Reserve Plant through the adoption of the Planned Industrial Park Zoning Use District and the Planned Recreational Park Zoning Use District, and

WHEREAS, pursuant to the recommendation of the Suffolk County Planning Commission, the aforementioned zoning amendments were predicted upon the creation of both a transportation improvement fund and a future creation of a Transportation Development District, as a special assessment district in order to finance highway improvements necessitated by a certain level of development of the Calverton site yet to be determined, and

WHEREAS, it is the current position of the Riverhead Town Board that the creation of a transportation development district and the subsequent collecting of revenues to finance highway improvements may not occur prior to both the qualification of vehicular impacts on existing roadways as generated by site development and the identification of specific highway improvements to be made to mitigate such impacts, and

WHEREAS, it is the further position of this Board that such vehicular impact will be quantified in the future by virtue of a traditional traffic impact analysis to be provided at such time as either a supplemental environmental impact study is prepared in support of a specific development project at Calverton or action of the New York State Department of Transportation, now

THEREFORE, BE IT

RESOLVED, that based upon its findings and recitals, the Riverhead Town Board hereby determines the creation of a transportation improvement fund and a Transportation Development District to be premature, and

BE IT FURTHER

RESOLVED, that this Town Board hereby rescinds Riverhead Town resolution numbers 649 and 650 of 1999, which created such transportation improvement fund and transportation development district, and

BE IT FURTHER

RESOLVED, that at such time as a traditional traffic impact analysis for the Calverton site is prepared, this Town Board will reconsider the propriety of the creation of a Transportation Development District in conformance with State Law, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be transmitted to the Planning Board, the Planning Department and the office of the Town Attorney.

THE VOTE

Denciochi Yes ___ No ___ In Cardinale Yes ___ No ___
 Kent Yes ___ No ___ Lodi Yes ___ No ___
 [Name] Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

1/21/00

TOWN OF RIVERHEAD

Adopted

Resolution # 1029

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST
A HELP-WANTED AD FOR ASSESSMENT CLERK

COUNCILMAN LULL

_____ offered the following

resolution, which was seconded by COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the November 30, 2000 issue of The News Review.

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Assessment Clerk. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY, between the hours of 8:30am and 4:30pm. Monday through Friday. No applications will be accepted after 3:30pm on Friday, December 8, 2000. The Town of Riverhead does not discriminate on the basis of age, race, color, national origin, sex or handicapped status in the employment or provision of services.

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

11/21/00

TOWN OF RIVERHEAD

Adopted

Resolution # 1030

AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 (VEHICLES & TRAFFIC) OF THE RIVERHEAD TOWN CODE

COUNCILMAN KENT

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the November 30, 2000 issue of **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Highway Department 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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 5th day of December, 2000 at 7:20 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

§ 101-3. Stop and yield intersections; railroad crossings; parking fields.

- A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	Stop Sign On	Entrance From
<u>Timothy Lane</u>	<u>High Meadow Lane</u>	<u>South</u>

§ 101-10.2. No parking certain hours.

Street	Side	Hours	Location
<u>High Meadow Lane</u>	<u>Both</u>	<u>3:00 a.m. to 6:00 a.m.</u>	<u>Entire Length</u>
<u>Melissa Court</u>	<u>Both</u>	<u>3:00 a.m. to 6:00 a.m.</u>	<u>Entire Length</u>
<u>Rita's Court</u>	<u>Both</u>	<u>3:00 a.m. to 6:00 a.m.</u>	<u>Entire Length</u>
<u>Timothy Lane</u>	<u>Both</u>	<u>3:00 a.m. to 6:00 a.m.</u>	<u>Entire Length</u>

Dated: Riverhead, New York
November 21, 2000

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

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

11/21/00

TOWN OF RIVERHEAD

Adopted

Resolution # 1031

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (DEFINITION OF SPECIAL PERMIT)

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

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a proposed local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the November 30, 2000 issue of the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment 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 the Riverhead Planning Department; the Riverhead Planning Board and the Riverhead Building Department.

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 5th day of December, 2000 at 7:25 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**ZONING
ARTICLE I
General Provisions**

§ 108-3. Definitions.

For the purpose of this chapter, certain terms and words are herewith defined as follows:

SPECIAL PERMIT

A. Special permits for special permitted uses as authorized in this chapter shall issue from the Town Board. Special permits will issue in the form of a resolution of the Town Board, stating findings and conditions. Special permits of the Town Board shall be for whatever duration decided by the Town Board and as specified in the Town Board's resolution. If the Town Board fails to specify a period of time, said period shall be in perpetuity. In addition, the Town Board may condition the permit by requiring that the applicant actually begin use and complete construction or use requirements in compliance with the conditions imposed by the Town Board within a time period of from one (1) to three (3) years, decided by the Town Board and set forth in the resolution granting said permit. If the Town Board fails to specify a period, said period shall be one (1) year. The Town Board, under these provisions and any further rules or requirements of the Planning Board of the Town of Riverhead, requires the following data and information as a basis for approving a special permit:

(1) A written application, verified by the applicant, not an agent, where the applicant is the person or entity responsible and bound for the construction envisioned by the special permit. Where the applicant is not the owner of the real property, the owner must join in and swear to the truth of the application. Any special permit granted, unless performance of the terms and conditions thereof is bonded, shall be personal to the applicant and shall not be assignable or transferable without a resolution of approval by the Town Board.

(2) A complete conceptual site plan showing the proposed location of all landscaping and other improvements, including dwelling units and first floor elevations and the design of all buildings and structures, drainage,

~~road designs and contours, all proposed buildings, parking stalls, access locations, as well as front, rear and side yard setbacks, signed, sealed and certified by a New York State licensed engineer, or architect, or licensed land surveyor, certifying that all things shown thereon are correct and comply with all federal and state codes, town and county laws, ordinances and regulations and the rules of any applicable special district.~~

- (3) A list of property owners based upon the most complete assessment roll filed with Town of Riverhead within a radius of five hundred (500) feet of the subject property. This requirement may be waived by the Town Board where the special permit sought is for the construction of a single-family dwelling. No person may object to any approval granted after notice is served by the applicant or designated representative pursuant to this definition, unless an objection is received by the Town Clerk, within thirty (30) days of the date of publication of the public notice calling the hearing, alleging that he did not receive the notice provided for in this definition. Also, an affidavit signed by the applicant or designated representative attesting to serving the public notice as required by this definition must be filed with the Town Clerk prior to the holding of the public hearing.
- (4) Any other information deemed by either board in its discretion to be necessary for reasonable determination of the application.
- B. Expert testimony or reports by independent engineers, special counsel or architects shall be paid for by the applicant.
- C. Any applicant filing for a special permit to erect a one-family dwelling as authorized in this chapter may request in his or her application waiver of any of the requirements of this definition.
- D. Incorporated in this definition by reference are any and all conditions, requirements or modifications set forth elsewhere in this chapter which are set forth for and with a special permitted use.
- E. Application procedure. The applicant must first apply to the Zoning Board of Appeals for any variance which may be necessary. Only after the applicant has obtained all necessary variances shall the application procedures listed below be followed:
- (1) Any application made pursuant to the provisions of this definition shall originate by an application to the Town Board, contrary provisions notwithstanding, and shall be referred to the Planning Board, which will transmit its recommendations to the Town Board within sixty (60) days of referral. Upon application, the Town Clerk shall provide to the applicant a sign to be immediately posted at the property indicating that a special

permit application is pending before the Riverhead Town Board. Thereafter, when a public hearing is scheduled by the Town Board, the Town Clerk shall forward by certified mail a copy of the public hearing notice to the applicant, wherein the applicant shall then fill in the date and time of the public hearing on the sign heretofore posted at the subject property. Before the Town Board can deny or approve said special permit application, an affidavit executed by the applicant must be filed with the Town Clerk stating that he has complied with the posting requirements above outlined.

- (2) After receipt of the recommendations of the Planning Board, the Town Board shall hold a public hearing upon public notice as required by § 265 of the Town Law. The applicant or his representative shall forward a certified copy of the public hearing notice by certified mail to all property owners within a five-hundred-foot radius of the subject property to be affected by the special permit, and the applicant shall pay all expenses of said hearing, including but not limited to publication costs, postage and transcription of testimony. All testimony at the public hearing before the Town Board shall be given under oath. The Town Board may require the sworn testimony of such persons as it deems necessary for a full and complete hearing on the application. The Town Board may adjourn the public hearing for the purpose of taking further testimony or requiring the production of further information. [Amended 4-5-1988]
- (3) The Town Board shall determine that:
 - (a) The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood.
 - (b) The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the town.
 - (c) The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use.
 - (d) Such use will be in harmony with and promote the general purposes and intent of this chapter.
- (4) The Town Board and the Planning Board may consider, among other matters or factors which either board may deem material, whether:
 - (a) The site is particularly suitable for the location of such use in the community.
 - (b) The plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.
 - (c) The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly.

- (d) Access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public in relation to the general character of the neighborhood and other existing or permitted uses within it, and to avoid traffic congestion; and further that vehicular entrances and exits shall be clearly visible from the street and not be within seventy-five (75) feet of the intersection of street lines at a street intersection except under unusual circumstances.
- (e) All proposed curb cuts and street intersections have been approved by the street or highway agency which has jurisdiction.
- (f) Adequate provisions have been made for emergency conditions.
- (g) There are off-street parking and truck loading spaces at least in the number required by the provisions of this chapter, but in any case, an adequate number for the anticipated number of occupants, both employees and patrons or visitors; and further, that the layout of the spaces and driveways are convenient and conducive to safe operation.
- (h) Adequate buffer yards, landscaping, walls, fences and screening are provided where necessary to protect adjacent properties and land uses.
- (i) Where necessary, special setback, yard, height and building area coverage requirements, or easements, rights-of-way or restrictive covenants, shall be established.
- (j) Where appropriate, a public or semipublic plaza or recreational or other public areas will be located on the property.
- (k) Adequate provisions will be made for the collection and disposal of stormwater runoff from the site and of sanitary sewage, refuse or other waste, whether liquid, solid, gaseous or of other character.
- (l) Existing municipal services and facilities are adequate to provide for the needs of the proposed use.
- (m) The use will tend to generate or accumulate dirt or refuse or tend to create any type of environmental pollution, including vibration, noise, light, electrical discharges, odors, smoke or irritants, particularly where they are discernible on adjacent properties or boundary streets.
- (n) The construction, installation or operation of the proposed use is such that there is a need for regulating the hours, days or similar aspects of its activity.
- (o) The proposed use recognizes and provides for the further special conditions and safeguards required for particular uses as may be determined by the Town Board or the Planning Board.
- (p) The design, layout and contours of all roads and rights-of-way encompassed within the site of the application are adequate and meet town specifications.
- (q) Adequate provisions have been made for the collection and disposal of solid wastes, including but not limited to the screening of all containers.
- (r) The proposed number of units is justified in light of the number of units otherwise proposed, built, occupied or vacant within the Town of Riverhead.

- F. The Town Board, in its resolution granting a special permit pursuant to this definition, may make and include certain conditions in its discretion, including but not limited to the following:
- (1) The posting of performance bonds to guarantee the performance of any or all conditions imposed by the resolution.
 - (2) The imposition of fees or in lieu thereof dedication of land or open space easements in an amount or form to be determined by the Town Board as necessary to adequately recompense the town for the additional municipal service requirements to be provided as a result of the granting of the special permit.
 - (3) The filing with the County Clerk of the County of Suffolk of covenants and restrictions, easements or other recordable agreements running with the land and binding upon all successors of the applicant to guarantee or implement the provisions of the special permit.
- F. In those sections of this chapter where special permits are authorized by resolution and the provisions of this definition, the Town Board, upon finding and stating said findings in its resolution of approval that the overall purposes of this chapter can be fulfilled by the inclusion in said special permit of a variance from the requirements of any use district, may grant in its resolution granting a special permit a variance of up to five percent (5%) of any setback, area coverage, height, lot area, floor area, side yard, front yard, rear yard or parking requirements.
- G. Fees. The fee for a special permit petition which will result in the construction of a building or buildings with a total of less than 4,000 square feet shall be \$250. The fee for a special permit petition which will result in the construction of a building or buildings with a total of 4,000 square feet or greater shall be \$1,000. The fee shall be made a part of the initial application.

Dated: Riverhead, New York
November 21, 2000

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

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

** Represents deletion(s)

11/21/2000

Adopted

TOWN OF RIVERHEAD

Dated 11/21/2000
Resolution # 1032

REFERS SPECIAL PERMIT PETITION OF SOUND HOUSING, INC. (WILLOW PONDS) TO THE RIVERHEAD PLANNING BOARD

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Sound Housing, LLC to amend an approved special permit (December 16th, 1986) to allow a modification of the recreational facilities to be constructed upon the real property located at Sound Avenue, Riverhead; such real property more particularly described as Suffolk County Tax Map No. 0600-, and

WHEREAS, the Riverhead Town Board desires to refer the subject petition to the Riverhead Planning Board for its report and recommendation to be completed concurrent with a pending condominium map amendment.

NOW, THEREFORE BE IT

RESOLVED, that in the matter of the Special Permit Petition of Sound Homes LLC, Riverhead Town Board hereby declares it self to be the Lead Agency Pursuant to 6NYCRR Part 617,

NOW, BE IT FURTHER

RESOLVED, that the Town Clerk refer such Special Permit Petition to the Riverhead Planning Board for its report and recommendations.

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be transmitted to Shepard M.Scheinberg, Esq., 16 Old Fields Lane, P.O. Box 1765, Quogue, New York 11959 as the attorney for the applicant.

THE VOTE

Densleski Yes No Cardinals Yes No
 Kent Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

11/21/2000

Adopted

TOWN OF RIVERHEAD
Dated 11/21/200
Resolution # 1033

**APPROVES SPECIAL PERMIT – BLUE MEADOW FARM BED &
BREAKFAST (WILLIAM A. RULE)**

COUNCILMAN LULL

_____ offered the following resolution which
was seconded by **COUNCILMAN CARDINALE** _____

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition pursuant to Sections 108-3, 108-21 B (8) and 108-64.5 of the Town Code from William A. Rule for operation of a bed and breakfast facility in an existing dwelling on a .74 acre parcel zoned Agriculture A located at 1154 Middle Road, Riverhead and known by Suffolk County Tax Map Number 0600-81-1-29, and

WHEREAS, the Riverhead Town Board by resolution #396 of 2000 declared themselves Lead Agency, and

WHEREAS, the Town Board has referred the application to the Planning Board for its report and recommendations such Planning Board recommending the approval of the petition subject to certain conditions, and

WHEREAS, the Riverhead Town Board has carefully considered the merits of the special permit petition, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, as well as all other relevant planning, zoning and environmental information.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of William A. Rule, the Riverhead Town Board, as the Lead Agency, determines the Action to be Unlisted without a significant impact upon the environment and that an Environment Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that in the matter of the special permit petition of Blue Meadow Bed and Breakfast (William A. Rule), the Riverhead Town Board makes the following findings;

THE VOTE
Densleski Yes No Cardinale Yes No
Kent Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT

1. That the premises is located within the Agriculture A Zoning Use District;
2. That the specially permitted use will not impair the orderly development of other properties within the vicinity;
3. That the health, safety, welfare, comfort and order of the Town will not be adversely affected by the proposed land use;
4. That the proposed land use will be in harmony with and promote the general purpose and intent of the Town of Riverhead Zoning Ordinance, and

BE IT FURTHER

RESOLVED, that based upon its findings and determination, the Riverhead Town Board hereby approves the special permit of Blue Meadow Bed & Breakfast (William A. Rule) subject to the following conditions:

1. The submission of floor plans pursuant to Section 108-64.5 in order to ascertain the number of parking stalls to be provided and the method of improvements and to confirm that no structural modifications are required;
2. Adherence to all provisions of Section 108-64.5 of the Riverhead Zoning Ordinance shall be demonstrated prior to issuance of site plan approval by the Town Board and the necessary building permits; and

BE IT FURTHER

RESOLVED, that copies of this resolution be forward to the Planning Department, the Town Attorney and William A. Rule or his Agent, 1154 Middle Road, Riverhead, New York 11901.

November 21, 2000

Adopted

TOWN OF RIVERHEAD

November 21st, 2000

Resolution # 1034

APPROVES AMENDED SITE PLAN OF BAITING HOLLOW COMMONS (FREDERICK H. TERRY)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN LULL.

WHEREAS, by resolution number 406 of 1998, the Riverhead Town Board did approve the site plan application of Frederick H. Terry to allow the conversion of residential and farm buildings for retail and restaurant use; and

WHEREAS, Frederick H. Terry has submitted an application to amend the original site plan approval to allow for a walk-in refrigeration unit, screen fencing and removal of parking on Sound Avenue; and

WHEREAS, has reviewed the site plan as prepared by Nicholas Vero & Peter Tokar, Architects, dated 11/10/2000; and

WHEREAS, a copy of the site plan has been marked and initialed; and

WHEREAS, the site plan amendment 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 32701 of the Office of the Supervisor of the Town of Riverhead; and

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

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Frederick H. Terry, 3225 Sound Avenue, Riverhead, New York 11901, the Planning Department, Riverhead Building Department, Assessor's Office, Office of the Town Attorney and the Town Engineer.

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

11/21/2000

1886
Adopted

TOWN OF RIVERHEAD
Resolution # 1035
Dated 11/21/2000

APPROVES PHASED SITE PLAN OF RIVERHEAD DAEWOO, INC.

COUNCILMAN LULL

_____ offered the following resolution

which was seconded by COUNCILMAN CARDINALE

WHEREAS, a site plan was submitted by Patricia Moore, Esq. on behalf of Riverhead Daewoo, Inc. to allow the placement of a temporary office trailer upon real property known and designated as Suffolk County Tax Map No. 0600-108-03-12; and

WHEREAS, the Planning Department has reviewed the site plan as prepared by Joseph Ingegno, L.S., dated September 1st, 2000 and has recommended that such site plan be approved with certain conditions; and

WHEREAS, the Town Board has carefully considered the merits of the propose amendments; 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 31818 of the Office of the Supervisor of the Town of Riverhead; and

NOW THEREFORE BE IT

RESOLVED, that the Riverhead Town Board hereby approves the Phased Site Plan of Riverhead Daewoo, Inc. as marked and initialed by the Town Board and subject to the following conditions:

1. That the office trailer shall be located in "Location Number 1" as shown on the site plan;
2. That the office trailer shall be removed from the premises within six (6) months from the date of this approval;
3. That no automobiles shall be stored or parked upon the existing landscaped area along County Route 58.

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

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Patricia Moore, Esq., 51020 Main Road, Southold New York 11971, the Riverhead Planning Department, Riverhead Town Building Department, Assessor's Office, Office of the Town Attorney and the Town Engineer

TOWN OF RIVERHEAD

Resolution # 1036

COMMUNITY DEVELOPMENT AGENCY - CALVERTON

BUDGET ADJUSTMENT

Councilman Lull offered the following resolution ,
which was seconded by Councilman Kent

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

	FROM:
914.069800.543905 ADMIN. MGMT. CONSULTANTS	\$22,600.
914.069800.541203 LANDSCAPING EXPENSE	12,500.
914.069800.595001 TRANSFER TO GENERAL FUND	28,810.

	TO:
914.069800.543900 MISC. CONSULTANTS	\$22,600.
914.069800.543500 ENGINEERING EXPENSE	15,000.
914.069800.547522 PERMITS & LICENSES	4,310.
914.069980.541499 MISC. REPAIRS & MAINTENANCE	22,000.

THE VOTE

Cardinale Yes No Densieski Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

Councilman Cardinale offered to table this resolution, which was seconded by Councilman Densieski, the vote Densieski to table yes, Cardinale yes, Kent yes, Lull no, Kozakiewicz, no. Resolution tabled.

Councilman kent offered resolution to be brought off the table, which was seconded by Councilman Lull. The vote, Densieski- abstain, Cardinale yes, Kent, yes, Lull yes, Kozakiewicz, yes.

Resolution was brought off the table.

11/21/00

Adopted

TOWN OF RIVERHEAD

Resolution # 1037

REFERS SPECIAL PERMIT PETITION - RIVERHEAD CENTRE, LLC
TO THE RIVERHEAD PLANNING BOARD

COUNCILMAN DENSIESKI offered the following resolution which was

seconded by COUNCILMAN LULL:

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Riverhead Centre, LLC, pursuant to Sections 108-3, 108-45(B)(12) and the Zoning District Use Schedule of the Town Code, to increase the permissible lot coverage on property that is zoned Business B from 15% to 16.32%, and to construct a lumberyard with a garden center as an accessory use on property that is zoned Industrial A, such property being owned by Riverhead Centre, LLC and collectively and specifically known as SCTM No. 0600-101-02-11.1; and

WHEREAS, Home Depot USA, Inc. is a co-applicant for the special permit to construct a lumberyard with a garden center as an accessory use on the Industrial A portion of the property; and

WHEREAS, the petition is accompanied by a complete site plan comprised of drawings and maps all of which are signed, sealed and certified by either a New York State licensed engineer or architect; and

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

WHEREAS, a list of property owners within a radius of five hundred (500) feet of the subject property was submitted with the petition; and

WHEREAS, the special permits sought in the petition are the same as those previously sought by Riverhead Centre, recommended for approval by the Riverhead Planning Board and granted by the Town Board on May 16, 2000 by Resolution No. 464; and

WHEREAS, the Town Board was the lead agency for purposes of the State Environmental Quality Act ("SEQRA") review of the prior special permit applications and continues to be lead agency with regard to the new petition;

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

WHEREAS, the project for which the special permits are sought has been fully reviewed by the Town Board in draft and final environmental impact statements, and draft and final supplemental environmental impact statements, and the Town Board has previously adopted SEQRA findings based on that prior review; and

WHEREAS, the Town's prior SEQRA review and SEQRA findings for the project for which special permits are sought were challenged in an Article 78 proceeding before the Supreme Court, Suffolk County, entitled Miller, et al. v. Kozakiewicz, et al., Index No. 00-7159, and upheld by Justice Dunn in a decision dated July 10, 2000; and

WHEREAS, the prior special permits were challenged in an Article 78 proceeding before the Supreme Court, Suffolk County, entitled, Miller, et al. v. Kozakiewicz, et al., Index No. 00-14530 (Justice Dunn), and although, in a decision dated October 18, 2000, the Court rejected the petitioners' challenge to the ultimate merit of the Town Board's decision to grant the prior special permits, the Court vacated the prior special permits on the procedural grounds that the prior application was not accompanied by a "complete site plan" pursuant to section 108-3(a)(2) of the Town Code, and oaths were not administered at the public hearings on the prior application; and

WHEREAS, Justice Dunn further held in his October 18, 2000 decision that the petitioners could not assert a challenge to the special permits on SEQRA grounds based on the doctrine of res judicata; and

WHEREAS, as a result of Justice Dunn's decision vacating the special permits, a new application for the same special permits is now required; and

WHEREAS, the Riverhead Town Board desires a report from the Riverhead Planning Board with regard to the merits of the new petition, now

THEREFORE, BE IT

RESOLVED, that the Town Board deems the special permit petition of Riverhead Centre, LLC, which is joined in part by Home Depot USA, Inc. with respect to the special permit to construct a lumberyard with a garden center as an accessory use on the Industrial A portion of the property, to be complete and in accordance with the requirements of Section 108-3 of the Town Code, and

BE IT FURTHER RESOLVED, that the Town's prior SEQRA review and SEQRA findings are applicable to the new petition and thus no further environmental review is required; and

BE IT FURTHER RESOLVED, that the Town Clerk be directed to refer the special permit petition to the Riverhead Planning Board for its report and recommendation; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Planning Department, Planning Board, and Charles Cuddy, as attorney for the applicant.

Adopted

11/21/00

TOWN OF RIVERHEAD

Resolution # 1038

AUTHORIZES THE LAW FIRM OF SMITH, FINKELSTEIN, LUNDBERG, ISLER & YAKABOSKI, LLP AS SPECIAL COUNSEL IN CONNECTION WITH THE ARTICLE 78 PROCEEDING ENTITLED "HEADRIVER, LLC v. TOWN BOARD OF THE TOWN OF RIVERHEAD"

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

BE IT HEREBY RESOLVED, that the law firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP is hereby retained as special counsel in connection with the lawsuit entitled "Headriver, LLC v. Town Board of the Town of Riverhead; and be it further

RESOLVED, that the Riverhead Town Board hereby approves the attached Retainer Agreement from the Law Firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP; and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute the attached Retainer Agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Law Firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP, 456 Griffing Avenue, P.O. Box 389 Riverhead, New York 11901; the Office of the Town Attorney and the Office of Accounting

THE VOTE
Densleski Yes ___ No ___ Cardinal Yes ___ No ___
Kent Yes ___ No ___ Lull Yes ___ No ___
Kozakewicz Yes ___ No ___
THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

NOVEMBER 21, 2000

TOWN OF RIVERHEAD

Adopted

Resolution # 1039

55 LAURIN ROAD CHAPTER 96

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:

406.010100.411000.41019 REAL PROPERTY TAXES	FROM:	\$750.
406.086660.540000.41019 CONTRACTUAL EXPENSES	TO:	\$750.

THE VOTE

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

TOWN OF RIVERHEAD

Resolution # 1040

Adopted

AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY PURSUANT TO CHAPTER 96 ENTITLED. "TRASH, RUBBISH AND REFUSE DISPOSAL" OF THE RIVERHEAD TOWN CODE (5 ANDREA COURT)

~~COUNCILMAN DENSIESKI~~

offered the following resolution,

which was seconded by

~~COUNCILMAN CARDINALE~~

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

WHEREAS, property located at 5 Andrea Court, Riverhead, New York also known as Suffolk County Tax Map Number 0600-065.00-03-001.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Eric Brown, 5 Andrea Court, Riverhead, New York 11901, by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

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

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Eric Brown, 5 Andrea Court, Riverhead, New York 11901; the Building Department, Kenneth Testa, P.E. and the Office of the Town Attorney.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent *abstain* Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

11/21/00

STATUS _____

TOWN OF RIVERHEAD

Adopted

Resolution # 1041

AUTHORIZES THE TOWN OF RIVERHEAD TO SECURE, DEMOLISH OR REMOVE UNSAFE BUILDING OR STRUCTURE PURSUANT TO CHAPTER 54 OF THE RIVERHEAD TOWN CODE (JAMES & HOLLY RITTER, 29 MIDLAND DRIVE.)

COUNCILMAN CARDINALE

offered the following resolution,

which was seconded by

COUNCILMAN LULL

WHEREAS, pursuant to Chapter 54 of the Riverhead Town Code entitled, "Unsafe Buildings and Collapsed Structures", certain land and buildings reputedly owned by James & Holly Ritter located at 29 Midland Drive, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-013.00-04-019.00 has been determined by the Building Inspector to be unsafe and dangerous to the public; and

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

WHEREAS, a public hearing was held on the 27th day of April, 2000 at 1:05 o'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice and all persons wishing to be heard were heard; and

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

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

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

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to James & Holly Ritter, PO Box 1642, Riverhead, New York, 11901; Kenneth Testa, P.E., the Building Department; the Tax Receiver's Office; the Assessor's Office; the Office of Accounting and the Town Attorney's Office.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

11/21/00

Adopted

TOWN OF RIVERHEAD

Resolution # 1042

APPOINTS FULL-TIME ACCOUNT CLERK TYPIST IN THE COMMUNITY DEVELOPMENT OFFICE

COUNCILMAN LULL

_____ offered the following

COUNCILMAN KENT

resolution, which was seconded by _____

WHEREAS, Joy Clifford currently holds the provisional appointment of Account Clerk Typist in the Community Development Office, and did not take the necessary Civil Service Exam for this position, and

WHEREAS, the Suffolk County Department of Civil Service has established List #00A-512, and

WHEREAS, Joy Clifford can not be re-appointed provisional to said position, and

WHEREAS, Linda McKay is one of the three willing candidates on said List of Eligibles, and

WHEREAS, it is the recommendation of the Town Board Personnel Committee and the Community Development Program Supervisor that Linda McKay be appointed to the full-time position of Account Clerk Typist.

NOW, THEREFORE, BE IT RESOLVED, that effective November 20, 2000, Joy Clifford be terminated and effective December 18, 2000, the Town Board hereby appoints Linda McKay to the full-time position of Account Clerk Typist, Group 9, Step P of the Clerical and Supervisory Salary Structure of the CSEA Contract; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Linda McKay 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 BEING SOLY ADOPTED

11/21/00

TOWN OF RIVERHEAD

Adopted

Resolution # 1043

ADOPTS LOCAL LAW #12-2000 TO THE RIVERHEAD TOWN CODE TO BE KNOWN AS CHAPTER 89, ENTITLED "CALVERTON SEWER DISTRICT SEWER USE ORDINANCE"

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

WHEREAS, by resolution duly adopted on October 17, 2000, the Town Board of the Town of Riverhead authorized the Town Clerk to publish and post a notice of public hearing to consider the addition of a local law to the Riverhead Town Code to be known as Chapter 89, entitled "Calverton Sewer District Sewer Use Ordinance"; and

WHEREAS, the public hearing was noticed as required by law and held on November 8, 2000 at 7:10 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, all interested parties were provided with reasonable opportunity, both orally and in writing, to present their views with respect to the matter as set forth in the notice of public hearing.

NOW, THEREFORE, BE IT RESOLVED, Be it enacted by the Town Board of the Town of Riverhead as follows:

Local Law No. 12-2000, known as Chapter 89 of the Riverhead Town Code entitled "Calverton Sewer District Sewer Use Ordinance", as attached hereto in complete text.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Diane Stuke, Receiver of Taxes; Laverne Tennenberg, Chairman of the Board of Assessors; Richard Hanley, Planning Director; Leroy Barnes, Jr., Building Department; Michael Reichel, Riverhead Sewer District, and Dawn Thomas, Esq., Town Attorney.

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

own miss copy
Barbara ¹⁸⁹⁹ Mattan

CALVERTON SEWER DISTRICT / TOWN OF RIVERHEAD

SEWER USE ORDINANCE

June 2000
October 10, 2000 (Rev. No. 1)

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CHAPTER 89

SEWERS

ARTICLE I

Short Title and Purpose

89-1 Short title.

For brevity and ease of communication, this Law may be cited as the Calverton Sewer District Sewer Use Ordinance.

89-2 General purpose.

The general purpose of this Law is to provide for efficient, economic, environmentally safe, and legal operation of the Calverton Sewer District Sewage Treatment Plant (STP), as it is so defined herein.

89-3 Specific purposes.

The specific purposes of this Law are the following:

- A. To prevent the introduction of substances into the STP that will:
 - 1. interfere with the operation and maintenance in any way,
 - 2. pass through the STP to the state's surface or ground waters and cause contravention of standards for those waters or cause violation of the plant's SPDES permit,
 - 3. increase the cost or otherwise hamper the disposal of STP sludge and/or residuals,
 - 4. endanger municipal employees,
 - 5. cause air pollution, or surface and/or groundwater pollution, directly or indirectly,
 - 6. cause, directly or indirectly, any public nuisance condition.
- B. To prevent new sources of infiltration and inflow and, as much as possible, eliminate existing sources of infiltration and inflow.
- C. To assure that new service connections are properly constructed.
- D. To provide for equitable distribution to all users of the STP of all costs, associated with sewage conveyance, treatment, and sludge disposal, and to provide for the collection of such costs.

ARTICLE II
Building Sewers and Connections

89-4 Definitions and word usage.

- A. Definitions. Unless the context specifically indicates otherwise, the following terms and phrases, as used in this local law, shall have the meanings hereinafter designated.
- B. Word Usage. When not inconsistent with the context, the present tense shall include the future and words used in the plural shall include the singular and vice versa. Furthermore, a masculine pronoun shall include the feminine. The word "shall" is mandatory while the word "may" is permissive.

ABNORMAL SEWAGE – Sewage whose concentration of one or more characteristics exceeds the characteristics of normal sewage.

AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) – The latest edition of any ASTM specification, when stipulated in this Law.

APPLICANT – That person who makes application for any permit. The applicant may be an owner, new or old, or his agent.

APPROVED LABORATORY PROCEDURE – The procedures defined as "Standard Methods" in this article, or other procedures approved by the Superintendent, for flow measurement or determination of the concentration of pollutants or their surrogates in waters, wastewaters, and/or sludges.

BIOCHEMICAL O₂GEN DEMAND (BOD): The quantity of o₂gen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (20° C.), expressed in milligrams per liter.

BUILDER – Any person who undertakes to construct a building or any part of a building, either under contract or for resale.

BUILDING SEWER– Any sewer or part thereof connecting, or installed for future connection of, a public or private building with the district sewer and extending from the district sewer to a point within five (5) feet of the building or house foundation wall. This is also known as a "service connection."

CATEGORICAL STANDARDS – National Categorical Pretreatment Standards or Pretreatment Standards as amended periodically.

CHEMICAL O₂GEN DEMAND (COD) – The result obtained when using an approved laboratory procedure to measure the o₂gen requirement of that portion of matter in a sample, that is susceptible to oxidation, by a specific chemical oxidant, expressed in milligrams per liter.

CHLORINE DEMAND – The result obtained when using an approved laboratory procedure to determine the difference between the amount of chlorine added to a

sample and the amount of chlorine remaining in the sample at the end of a specified contact time at room temperature, expressed in milligrams per liter.

CLASSES OF USERS – The division of wastewater treatment customers by waste characteristics and process discharge similarities or function, such as: residential, commercial, institutional, recreational, industrial or governmental.

COLLECTION SEWER, PUBLIC SEWER or SANITARY SEWER – A sewer whose primary purpose is to collect wastewaters from individual discharge sources.

COLOR – The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

COMMERCIAL USER – For the purpose of the user charge system, a user engaged in the purchase or sale of goods or in a transaction or business or who otherwise renders a service.

COMPOSITE SAMPLE – The sample resulting from the combination of individual samples of wastewater taken at selected intervals, for a specified time period. The individual samples may have equal volumes or the individual volumes may be proportioned to the flow at the time of sampling.

CONTROL AUTHORITY – The term shall refer to the Town Board of the Town of Riverhead.

CONTROL MANHOLE – A accessible manhole such that samples collected from the manhole represent the discharge to the STP.

CONVENTIONAL POLLUTANT – A pollutant that the STP was designed to treat, defined in accordance with this local law.

COOLING WATER – The water discharged from any system of condensation, air conditioning, refrigeration, or other sources. It shall contain no polluting substances which will produce COD or suspended solids in excess of five (5) milligrams per liter, or toxic substances, as limited elsewhere in this Law.

DEVELOPER – Any person who subdivides land for the purpose of constructing, or causing to be constructed, buildings for which wastewater disposal facilities are required.

DIRECT DISCHARGE – The discharge of treated or untreated wastewater directly to the Waters of the State of New York.

DISSOLVED SOLIDS – That concentration of matter in the sewage consisting of colloidal particulate matter one (1) micron in diameter or less and both organic and inorganic molecules and ions present in solution.

DISTRICT – The Calverton Sewer District, Town of Riverhead, Suffolk County, New York, as administered by the Town Board, Town of Riverhead, Suffolk County, New York.

DRAIN LAYER - An individual licensed as such by the Town of Riverhead and approved by the Town Board. (Same as **PLUMBER**)

DRY SEWERS - The sanitary sewer installed in anticipation of future connection to the STP but which is not used in the meantime, for transport of sanitary sewage.

EASEMENT - An acquired legal right, less than fee simple, for the specific use of land owned by others.

ENVIRONMENTAL PROTECTION AGENCY (EPA) - The agency of the federal government charged with the administration and enforcement of federal environmental laws, rules, and regulations.

EXTENSION - Attachment of a sewer line, with more than one user, to an existing sewer line.

FECAL COLIFORM - Any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.

FLOATABLE OIL - Oil, grease, or fat in a physical state such that it will separate by gravity from wastewater by treatment in a wastewater treatment facility.

FLOW RATE - The quantity of liquid or waste that flows in a certain period of time.

FORCE MAIN - A pipe which wastewater is carried under pressure.

GARBAGE - The solid wastes from the preparation, cooking, and dispensing of food, from the handling, storage, and sale of produce, and from the packaging and canning of food.

GRAB SAMPLE - A single sample of wastewater representing the physical, chemical, and biological characteristics of the wastewater at one point and time.

INDUSTRIAL - Meaning or pertaining to industry and manufacturing and is distinguished from domestic, residential or commercial.

INDUSTRIAL WASTES - The liquid or liquid-carried solid, liquid and/or gaseous wastes from industrial manufacturing processes.

INFILTRATION - Water, other than wastewater, that enters a sewer system (excluding building drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow. Infiltration is inadvertent, that is, not purposely designed or built into the sewer or drain.

INFILTRATION/INFLOW - The total quantity of water from both infiltration and inflow without distinguishing the source.

INFLOW - Water, other than wastewater, that enters a sewer system (including building drains) from sources such as, but not limited to, roof leaders, cellar drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling

towers, storm waters, foundation drains, swimming pools, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration. Inflow is purposely designed and/or built into the sewer or drain.

INSPECTOR - The authorized representative of the District designated by the Superintendent to inspect all work, repairs installations performed under these rules and regulations.

NATIONAL CATEGORICAL PRETREATMENT STANDARD, OR CATEGORICAL STANDARD - Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (B) and (C) of the Act (22 U.S.C. 1347), which applies to a specific category of industrial users. These standards apply at the end of the categorical process ("end of process").

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT - A permit issued pursuant to Section 402 of the Clean Water Act or "Act" (33 U.S.C. 1342).

NATIONAL PROHIBITIVE DISCHARGE STANDARD, OR PROHIBITIVE DISCHARGE STANDARD - Any regulation developed under the authority of Section 307 (B) of the Act, and 40 CFR, Section 403.5.

NUISANCE - The use or lack of use of the STP in such a manner so as to endanger life or health, give offense to the senses, or obstruct or otherwise interfere with the reasonable use or maintenance of the STP.

OIL AND GREASE - The result obtained when using an approved laboratory procedure to determine the quantity of fats, wax, grease, and oil, in a sample, expressed in milligrams per liter.

OPERATION AND MAINTENANCE COSTS - Includes all costs, direct or indirect, inclusive of expenditures attributable to administration, replacement of equipment and treatment and collection of wastewater, necessary to ensure adequate wastewater collection and treatment on a continuing basis which conforms to applicable regulations and assures optimal long-term facility management but not including debt service.

OTHER WASTES - Garbage (shredded or unshredded), refuse, wood, egg shells, coffee grounds, sawdust, shavings, bark, sand, lime, ashes, and all other discarded matter not normally present in sewage or industrial wastes. Also, the discarded matter not normally present in sewage or industrial waste.

PASS THROUGH - The discharge which exits the Calverton Sewer District STP into waters of the State in quantities, which, alone or in conjunction with discharges from other sources, is a cause of a violation of any requirement of the sewage treatment plant's SPDES permit.

PERMIT - A temporary revocable written document allowing use of the STP for specified wastes over a limited period of time, containing sampling locations and reporting frequencies, and requiring other actions as authorized by this Law.

PERSON - Any individual, public or private corporation, political subdivision, Federal, State, or local agency or entity, association, trust, estate or any other legal entity whatsoever.

pH - The logarithm (base 10) of the reciprocal of the weight of hydrogen ions, in gram moles per liter of solution. A pH value of 7.0, the pH scale midpoint, represents neutrality. Values above 7.0 represent alkaline conditions. Values below 7.0 represent acid conditions.

PRETREATMENT or TREATMENT - The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the STP. The reduction or alteration can be achieved by physical, chemical, or biological process, process changes, or by other means, except as prohibited by the Town Board.

PRETREATMENT REQUIREMENTS - Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.

PRETREATMENT STANDARD OR NATIONAL PRETREATMENT STANDARD - Any Categorical Standard or Prohibitive Discharge Standard.

PRIORITY POLLUTANTS - The most recently revised or updated list, developed by the EPA.

RECORDS - Shall include, but not be limited to, any printed, typewritten, handwritten or otherwise recorded matter of whatever character (including paper or electronic media), including but not limited to, letters, files, memoranda, directives, notes and notebooks, correspondence, descriptions, telephone call slips, photographs, permits, applications, reports, compilations, films, graphs and inspection reports. For the purposes of this law, records shall mean records of and relating to waste generation, reuse and disposal, and shall include records of usage of raw materials.

RECREATIONAL USER - A discharger to the STP who discharges domestic type wastewater.

ROOF DRAIN - A drain installed to receive water collecting on the surface of a roof for disposal.

SEPTAGE - All liquids and solids in and removed from septic tanks, holding tanks, cesspools, or approved type of chemical toilets, including but not limited to those serving private residences, commercial establishments, institutions, and industries. Septage shall not have been contaminated with substances of concern or priority pollutants.

SEPTIC TANK - A private domestic sewage treatment system consisting of an underground tank (with suitable baffling), constructed in accordance with all local and State requirements.

SEWER DISTRICT - The legally defined bounds of real property from which wastewater may be discharged into the STP. The bounds shall be established,

altered, changed, modified, reduced, enlarged, combined, or consolidated by action of the Town Board of the Town of Riverhead.

SEWAGE or WASTEWATER - A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, and such ground, surface, and storm water as may be inadvertently present. The admixture of sewage, as defined above, with industrial wastes and other wastes shall also be considered "sewage", within the meaning of this definition.

SEWAGE, DOMESTIC or DOMESTIC WASTES - Liquid wastes from the non-commercial preparation, cooking, and handling of food, liquid wastes containing human excrement and similar matter from the sanitary conveniences in dwellings, commercial buildings, industrial buildings, and institutions, or liquid wastes from clothes washing and/or floor/wall washing.

SEWAGE, NORMAL - Sewage, industrial wastes, or other wastes, which show, by analysis, the following characteristics:

1. BOD (Five Day) - 2090 lbs. per million gallons (250 milligrams per liter), or less.
2. Suspended Solids - 2500 lbs. per million gallons (300 milligrams per liter), or less.
3. Phosphorus - 125 lbs. per million gallons (15 milligrams per liter), or less.
4. Ammonia - 250 lbs. per million gallons (30 milligrams per liter), or less.
5. Total Kjeldahl Nitrogen - 417 lbs. per million (50 milligrams per liter), or less.
6. Chlorine Demand - 209 lbs. per million gallons (25 milligrams per liter), or less.
7. Chemical Oxygen Demand - 2920 lbs. per million gallons (350 milligrams per liter), or less.
8. Oil and Grease - 830 lbs. per million gallons (100 milligrams per liter), or less.

In spite of satisfying one or more of these characteristics, if the sewage also contains substances of concern, it may not be considered normal sewage.

SEWAGE TREATMENT PLANT, WATER POLLUTION CONTROL PLANT, OR ADVANCED WASTEWATER TREATMENT FACILITY - Any arrangement of devices and structures used for treating sewage.

SEWAGE, UNUSUAL STRENGTH OR CHARACTER - Sewage which has characteristics greater than those of normal sewage and/or which contains substances of concern.

SEWER - A pipe or conduit for carrying or transporting sewage.

SEWER, SANITARY - A sewer, which carries sewage, and to which storm, surface and groundwaters is not intentionally, admitted.

SEWER, STORM or STORM DRAIN - A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastewaters, other than cooling waters and other unpolluted waters.

SIGNIFICANT NON-COMPLIANCE (SNC) - A User is in significant non-compliance if its violation(s) meet(s) one or more of the following criteria:

1. Any violation of a pretreatment effluent limit (daily maximum or long-term average) that the Superintendent determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of sewer district personnel and operators or the general public);
2. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the Superintendent's exercise of its emergency authority under of this Law;
3. Failure to report accurately any non-compliance;
4. Any violation which the Superintendent determines will adversely affect the implementation or operation of the local pretreatment program.

SLUG - Any discharge which, in concentration of any constituent or in quantity of flow, that exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow during normal user operations, shall constitute a slug.

STANDARD INDUSTRIAL CLASSIFICATION (SIC) - A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, and subsequent revisions.

STANDARD METHODS - Procedures contained in the latest edition of "Standard Methods for the Examination of Water and Wastewater".

STATE - State of New York.

SUBSTANCES OF CONCERN - Those compounds which the New York State Department of Environmental Conservation, the Suffolk County Department of Health Services or the Town Board of the Town of Riverhead has determined may be harmful to man or the environment.

SUPERINTENDENT - That individual nominated by the Town Board of the Town of Riverhead and confirmed by the Town Board of the Town of Riverhead as the Superintendent of the Calverton Sewer District. This definition shall also include his authorized deputy, agent, or representative.

SUSPENDED SOLIDS (SS) or TOTAL SUSPENDED SOLIDS (TSS) - The result obtained, using an approved laboratory procedure, to determine the dry weight of solids, in a sample, that either float on the surface of, or are in suspension, or are settleable, and can be removed from the sample by filtration, expressed in milligrams per liter.

TOTAL KJELDAHL NITROGEN (TKN) - The result obtained, using an approved laboratory procedure, to determine the quantity of ammonia in a sample and released during the acid digestion of organic nitrogen compounds, expressed as milligrams of nitrogen per liter.

TOTAL PHOSPHORUS - The result obtained, using an approved laboratory procedure, to determine the total quantity of orthophosphate, in a sample of wastewater, following the hydrolysis of phosphorus compounds, expressed as milligrams of phosphorus per liter of sample.

TOWN - The Town of Riverhead, Suffolk County, New York.

TOXIC SUBSTANCES - Any substance, whether gaseous, liquid, or solid, that when discharged to the public sewer in sufficient quantities may be hazardous to the STP operation and maintenance personnel, tend to interfere with any biological sewage treatment process, or to constitute a hazard to recreation in the receiving waters. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under provisions of CWA 307 (A), or other Acts.

USER - Any person who contributes, causes, or permits the contribution of wastewater into the STP.

USER, SIGNIFICANT INDUSTRIAL (SIU) - An industrial user of the Calverton Sewer District as defined by the Town Board.

WASTEWATER - See Sewage.

WATERS OF THE STATE (STATE'S WATERS) - All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

89-5 Abbreviations.

The following abbreviations shall have the designated meanings:

ANSI	American National Standards Institute
ASTM	American Society for Testing and Materials
AWWA	American Water Works Association
BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
CPLR	Code of Public Law and Rules
COD	Chemical Oxygen Demand
EPA	Environmental Protection Agency
L	Liter
Mg	Milligram

Mg/l	Milligrams per liter
NCPI	National Clay Pipe Institute
NPDES	National Pollutant Discharge Elimination System
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
OSHA	Occupational Safety and Health Administration
P	Total Phosphorus
PSI	Pounds per Square Inch
PPM	Parts per Million, weight basis
SCDHS	Suffolk County Department of Health Services
SIC	Standard Industrial Classification
SPDES	State Pollutant Discharge Elimination System
SS	Suspended Solids
STP	Sewage Treatment Plant
SWDA	Solid Waste Disposal Act, 42 U.S.C. 690 L, et seq.
TSS	Total Suspended Solids
U.S.C.	United State Code of Laws
USEPA	United State Environmental Protection Agency

89-6 Undefined terms.

Terms not defined in this article, or terms found to be ambiguous or improperly defined in this article, shall be defined by the Town Board or the Superintendent.

**ARTICLE III
Use of Public Sewers**

89-7 General discharge prohibitions.

A. No user shall contribute or cause to be contributed, in any manner or fashion, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the STP. The Superintendent may decide that wastes, in addition to those described below, can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream or groundwater as the case may be, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the

sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

1. Any solids, liquids, or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause a fire or an explosion or be injurious, in any way, to the STP, or to its operation. At no time shall both of two successive readings on a flame type explosion hazard meter, at the point of discharge into the system (or at any other point in the system) be more than 25% nor any single reading be more than 40% of the lower explosive limit (LEL) of the meter. Unless explicitly allowable by a written permit, prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, 89lene, ethers, alcohols, carbides, hydrides, and sulfides, and any other substance which the County, the State, or the EPA has determined to be a fire hazard, or hazard to the STP.
2. Pollutants listed under Restricted Toxic or Hazardous Materials in Suffolk County Sanitary Code, Article 7.
3. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes (including heat), to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) milligrams per liter as CN in the wastes as discharged to the public sewer.
4. Solid or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works. Unless explicitly allowable by a written permit, such substances include, but are not limited to, grease, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining or processing fuel or lubricating oil, mud, or glass or stone grinding or polishing wastes.
5. Any waters or wastes having a pH lower than five point five (5.5) or greater than nine point five (9.5), or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

6. Any noxious or malodorous solids, liquids, or gases which either singly or by interaction with other wastes are sufficient to create a public nuisance or a hazard to life or are sufficient to prevent entry into the sewers for their maintenance or repair.
7. Any wastewater with objectionable color which is not removed in the treatment process, such as, but not limited to, dye wastes, and vegetable tanning solutions.
8. Any solid, liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150° F.) [sixty-five degrees centigrade (65° C.)]. The Superintendent reserves the right, in certain instances, to prohibit or limit the discharge of wastes whose maximum temperatures are lower than one hundred fifty degrees Fahrenheit (150° F.)
9. Any water or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter, or containing substances which may solidify or become viscous at temperatures between thirty-two degrees Fahrenheit (32° F.) and one hundred fifty degrees Fahrenheit (150° F.).
10. Wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not.
11. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths ($\frac{3}{4}$) horsepower or greater shall be subject to the review and approval of the Superintendent.
12. Unusual flow rate or concentration of wastes, constituting slugs.
13. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable county, state or federal regulations.
14. Any wastewater which causes a hazard to human life or which creates a public nuisance, either by itself or in combination in any way, with other wastes.
15. Any wastewater with a closed cup flashpoint of less than 140 degrees Fahrenheit or 90 degrees Centigrade using the test methods specified in 40 CFR Part 261.21.
16. Any pollutants which result in the presence of toxic gases, vapors or fumes within the STP in a quantity that may cause acute worker health and safety problems.
17. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such degree that any such

material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.

18. Materials which exert or cause unusual concentrations of inert suspended solids, such as but not limited to fuller's earth, lime slurries and lime residues, or of dissolved solids such as but not limited to sodium sulfate.
 19. Materials which exert or cause unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 20. Waters or wastes containing substances which are not amendable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- B. Dilution: Except where expressly authorized to do so by an applicable Pretreatment Standard, no user shall ever increase the use of process water or, in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard.
 - C. No person shall deposit or permit to be deposited, in any unsanitary manner on, or within the boundaries of, any public or private property within the District, or in any area under the jurisdiction of said District, any human or animal excrement, garbage, or other objectionable waste.
 - D. No person shall connect a private sewage system so that sewage flows into a storm sewer or into a drain intended exclusively for storm water.
 - E. No person shall discharge sewage into a well.
 - F. It shall be unlawful to discharge to any natural outlet, within the District, or in any area under the jurisdiction of the District, any wastewater or other polluted waters, except when suitable treatment has been provided in accordance with subsequent provisions of this Law.
 - G. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, cesspool, septic tank, or other facility intended or used for disposal of wastewater.
 - H. No person shall discharge or cause to be discharged inflow sources including stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer, as described in Section 89-8 of this Article.

89-8 Inflow

- I. New Sources: No connections shall be made to a sanitary sewer which connections are intended to discharge inflow. Such prohibited connections include, but are not limited to, footing drains, roof leaders, roof drains, cellar drains, sump pumps, catch basins, uncontaminated cooling water discharges, or other sources of inflow.
- J. Existing Inflow Sources Disconnected: All connections which contribute inflow to the sanitary sewers must be disconnected in a fashion approved by the Superintendent.
- K. No Re-connection of Inflow Source Allowed: It shall be a willful violation of this Law for any person to reconnect any inflow source which has been disconnected pursuant to this Article.

89-9 Connection with public sewer required.

- A. The owner(s) of all properties used for human occupancy, employment, recreation, or other purposes, situated within the District and abutting on any street, alley, or right-of-way in which there is now, or may be in the future, located a public sewer of the District, is hereby required at the owner's expense to install suitable sanitary facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within ninety (90) days after the date of official notice to do so, provided said public sewer is within one hundred feet (100 ft.) of the property line. All expenses for said connection shall be paid for by the owner, including but not limited to, District expenses, engineering and construction costs. All sanitary facilities required to install the connections shall be designed by the consulting engineer for the District, as may be appointed by the Town Board.
- B. If the public sewer line is greater than one hundred (100) feet from a property line or the elevation of the property requires the installation of a pump station to transport the sewage to District lines, the requirement to connect may be waived if the District determines that it would cause an undue financial hardship to the property owner.
- C. Where the building is other than a single family residence, or where the District determines that installation of a private sewage disposal system may create a health hazard and/or contaminate ground or surface water, the District may require connection of the building to the public sewer regardless of distance and/or topography.
- D. The District, on the recommendation of the Superintendent, shall have the authority to enter into agreements to accept sewage and other wastes, including pre-treated industrial wastes, generated by or discharged from persons outside the service area of the District.

1. If the person is a municipality, that municipality shall have enacted a Sewer Use Law as restrictive on the discharge of sewage and other wastes as the restrictions contained in this Law.
2. If the person is not a municipality the acceptance shall be made only with the expressed written consent of the Superintendent (the issuance of a permit) setting forth the terms and conditions of such an acceptance.

89-10 Private wastewater disposal.

- A. Where a public sewer is not available within the District, the building shall be connected to a private wastewater disposal system complying with the provisions of the Rules and Regulations of the SCDHS.
- B. No two separate permanent buildings, where the intended use for either is for a distinct and separate business or a dwelling place for a private family or families, shall be connected to the same individual septic tank and groundwater recharge system.
- C. A SCDHS completed application form shall be submitted to the SCDHS pursuant to all applicable provisions of the Suffolk County Sanitary Code.

**ARTICLE IV
New Sewers or Sewer Extensions**

89-11 Proper design.

- A. New sanitary sewers and all extensions to sanitary sewers owned and operated by the District shall be designed by a New York State professional engineer selected by the Town Board of the Town of Riverhead herein defined as the District Engineer.

89-12 New sewers subject to fees

When a property owner, builder, or developer proposes to construct sanitary sewers or extensions to sanitary sewers in an area proposed for subdivision, the plans, specifications, and method of installation shall be designed by the District Engineer. Said property owner, builder, or developer shall pay for the entire installation, including a proportionate share of the sewage treatment plant, intercepting and / or trunk sewers, pumping stations, force mains, and all other expenses incidental thereto, including, but not limited to all expenses necessary to publicly bid the construction work. Such expenses may include planning, design and construction engineering, soil borings, wetlands mapping and document printing. The Town Board shall from time-to-time adopt resolutions setting such fee.

89-13 Drainlayers.

Authorization of drainlayers:

1. The Town Board of the Town of Riverhead will authorize plumbers and contractors or other persons as drainlayers after such persons have presented to the Town Board satisfactory evidence that they are capable of laying house sewers in a workmanlike manner and in accordance with these rules and regulations. No one but an authorized drainlayers will be allowed to make connections with the district sewers nor lay any house sewers in connection therewith. Any person authorized as a drainlayer shall give personal attention to any work done under his permit and shall employ only competent persons to do the work.
2. No person, firm or corporation except a duly bonded drainlayer shall carry on the business of drainlaying in the Calverton Sewer District or be permitted to make any connection with the sewerage system.

B. Filing of irrevocable letter of credit; insurance:

1. An authorized drainlayer shall file with the Town Clerk a proper and acceptable irrevocable letter of credit in the amount of \$5,000, which irrevocable letter of credit shall remain in full force and effect for a least one year from the date of the last work done by that particular drainlayer.
2. The drainlayer shall also file a certificate or certificates of a policy of public liability and property damage insurance with a solvent insurance company duly authorized to do business in the State of New York and approved by the Calverton Sewer District, in amounts not less than \$500,000 against claims arising out of any one accident resulting in bodily injury or the death of any one person and in amounts not less than \$1,000,000 against claims arising out of any one accident resulting in bodily injury or to the death of more than one person, and the policies covering said liability insurance shall be extended by endorsement or rider to cover property damage liability to a limit per accident of at least \$100,000, all protecting the Calverton Sewer District, the Town of Riverhead and the drainlayer against injuries or damage to persons, corporations or property caused by or resulting from the execution of the work or in consequence of any improper materials, implements, equipment or labor used therein or due to any act, omission or neglect of the drainlayer or his employees herein.

C. Revocation of authority of drainlayer: Whenever, in the opinion of the Superintendent, any drainlayer violates any of the provisions of this chapter, said Superintendent shall report the same in writing to the Town Board of the Town of Riverhead, and if the Town Board shall find, after reasonable notice and opportunity to be heard is given to the drainlayer,

that the charges are sustained, it may revoke the authority of such drainlayer.

- D. Renewal of authority of drainlayer: No person, firm or corporation once having been authorized to carry on the business of drainlaying in the Calverton Sewer District, who shall have violated any of the provisions of these rules and regulations or shall have refused or neglected to make good, to the satisfaction of the Town Board, any defective or imperfect work, or shall have refused or neglected to pay any fees, fines or penalties imposed under the provisions of these rules and regulations, shall be eligible to receive any renewal of such authority until such default on his or its part has been removed.
- E. Reports of obstructions, connections and disconnections:
1. Drainlayers must report to the Superintendent in writing the full description, within twelve (12) hours, of the finding by them of all obstructions in house drains or the presence therein, if found, of any substance prohibited by these regulations. Failure to so report will render the person, firm or corporation so offending liable to the penalty of a revocation or suspension of his or its authority. The finding of the presence of substances prohibited by these regulations in the house drains of any house shall be prima facie evidence of an offense committed against these regulations by both the owner and occupant of the premises or either of them.
 2. Drainlayers must report to the Superintendent in writing, within twenty-four (24) hours after the completion of any work by them, every connection or disconnection made between any building and the sewer system aforesaid or between any house connection and said sewer system. Failure to so report will render the drainlayer so offending liable to the penalty of revocation or suspension of his authority.

89-14 Final acceptance.

All sanitary sewers and extensions to sanitary sewers constructed at the applicant's expense, after final approval and acceptance by the Superintendent, and concurrence by the Town Board, shall become the property of the Town, and shall thereafter be operated and maintained by the Calverton Sewer District.

ARTICLE V Building Laterals and Street Laterals

89-15 Permit and notification for sewer connections.

- A. There shall be two classes of sewer connection permits:

1. For commercial, recreational and institutional service,
 2. For service to establishments discharging pre-treated industrial wastes.
- B. In either case, a permit application shall be submitted to the Superintendent. The permit application shall be supplemented by the following:
1. The permit application shall be upon a blank form obtained from the Superintendent, shall be signed by the owner of the premises or his properly accredited agent and shall state the name of the drainlayer who has been engaged by the owner to do the work.
 2. Plans and descriptions of the proposed work, signed by an authorized drainlayer, shall be filed in triplicate in the office of the sewer district.
 3. A permit fee covering the installation of a house drain, as established by the Town Board, shall be paid to the sewer district and placed in the sewer district accounts, to be used to defray the cost of inspection and testing. A schedule of permit fees shall be established from time to time by the Town Board. A surcharge fee shall be paid by any potential industrial user to cover all engineering analysis related to pretreatment of industrial waste.
 4. Any other information considered pertinent, in the judgement of the Superintendent.
- C. Permit Required:
1. No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent or under the inspection of the Superintendent or his duly authorized representative.
 2. No person shall construct any house sewer upon or from any premises in said Calverton Sewer District, or use or permit to be used any house sewer, without a permit from the Superintendent.
- D. Nonliability of District/Town: No applicant or person to whom a permit may be granted or issued, or his successors in interest, shall have the right to make any claim for damages against the Calverton Sewer District, the Town Board or their agents in consequence of a refusal to issue a permit or of the revocation of a permit, or of delay in acting on any application or of inspecting the making of any connection, or because of the cutting off of a connection under the provisions of these regulations.
- E. Connections to existing manholes shall not be allowed unless approved by the Superintendent.

- F. The Superintendent shall be notified at least twenty-four (24) hours before the beginning of any work related to the installation of house sewers or connections.
- G. Additional permits: No permit granted by the Superintendent shall be construed to permit any interference with or disturbance of any state, county, or town highway pavement, as the case may be, in the Town of Riverhead, or any excavation in any road, street or public place, unless the permit shall expressly so provide. No permit shall be granted for such interference with or disturbance of said pavement or for the excavating for sewer purposes in any public street or public place unless the applicant or drainlayer shall have first obtained from the State, County or Town Highway Department, as the case may be, a permit therefor in accordance with the requirements of the Highway Department having jurisdiction. Any permit fee, bonding or other expenses in connection with the issuance of a permit for opening any street or pavement shall be paid by the applicant or drainlayer. No permit shall be deemed to authorize anything not stated in the application.

89-16 Building connection /street lateral designation.

- A. The connection of the building connection to an existing street lateral shall be made at the property line. Except as provided under Article IV, if a street lateral has not previously been provided, the street lateral shall be constructed from the existing public sewer to the property line, by a drainlayer, at the owner's expense. The street lateral shall be installed with a properly sealed and covered clean-out to grade located at the property line. The clean-out shall terminate in a metal box imbedded in concrete.
- B. The cost of constructing the street lateral from the existing public sewer to the property line shall be at the property owner's expense; all subsequent costs and expense incidental to the installation and connection of the building lateral shall also be borne by the owner.
- C. The property owner shall indemnify the District and the Town of Riverhead from any loss or damage that may directly or indirectly be occasioned by the installation of the building lateral.
- D. It shall be the responsibility of the property owner to maintain, repair, or replace the building lateral, as needed.
- E. The method of connection of the building lateral to the street lateral will be dependent upon the type of sewer pipe material, and, in all cases, shall be approved by the Superintendent. After installation of the street lateral has been approved by the Superintendent, the new street lateral shall become the property of the District. Any subsequent repairs to the new street laterals shall be made by the District at the District's expense.
- F. Street Lateral Replacement/Ownership: Any existing street lateral which, upon examination by the Superintendent, is determined to be in need of

replacement will be replaced with a new street lateral with a property line clean-out. The replacement street lateral shall be constructed by a drainlayer. The cost of constructing the replacement street lateral and clean-out shall be at the property owner's expense. Once the replacement street lateral and clean-out have been constructed and approved by the Superintendent, the new street lateral shall become the property of the District. Any repairs to new street laterals shall be made by the District at the District's expense.

- G. **Cleanout Repair/Replacement:** If, in the judgement of the Superintendent, it is determined that a building lateral, without a property line clean-out, needs repair or replacement, the District may install a clean-out at the property line, at the property owner's expense, such that the street lateral can be maintained independently of the building lateral.

89-17 New and existing building laterals.

- A. A separate and independent building lateral (building sewer, house connection) shall be provided for every building requiring sanitary facilities. When, however, there is a building behind a front building, the second building may use the front building's building lateral, if there is no other way to provide sanitary service to the back building. The Superintendent of the Calverton Sewer District shall have the final decision regarding such a connection.
- B. New building laterals shall not go under building basements. In like fashion, a building shall not be constructed over an existing lateral. All costs associated with the relocation of any existing sewer pipe shall be borne by the person(s) requiring such relocation and only after said relocation has been studied and approved by the Town Board. If relocation is not physically possible then the lateral shall be located exposed and totally encased in not less than twelve inches (12-inches) of 4,000 psi concrete or in a fashion designed by the District Engineer.
- C. All existing manholes in or under the basement shall be sealed air-tight in a manner acceptable to the Superintendent. No new manholes shall be constructed on the portion of the lateral under the building.
- D. **Laterals Serving Several Buildings:** When building laterals are to serve multiple structures, the building lateral shall be designed by the District Engineer.
- E. **Using Existing Building Laterals:** Existing building laterals may be used in connection with new buildings only when they are found, on examination by the Superintendent, to meet all requirements of this local Law.

89-18 Building sewer connection pipe materials.

Building sewer pipe materials shall be one of the following:

- A. Polyvinyl chloride (PVC) pipe and fittings conforming to ASTM Specification D-3034-73, "SDR-35 Polyvinyl Chloride (PVC) Sewer Pipe and Fittings". All pipe shall be suitable for gravity sewer service. Provisions shall be made for contraction and expansion at each joint with a rubber ring. The bell shall consist of an integral wall section stiffened with two PVC retainer rings which securely lock the solid cross-section ring into position. Minimum "Pipe Stiffness" (F/Y) at five percent (5%) deflection shall be 46 PSI when tested in accordance with ASTM Specification D-2412.
- B. Tar-coated, service grade, cast iron soil pipe conforming to ASTM Specification A-74, "Cast Iron Pipe and Fittings." All dimensions, weight and markings of the pipe shall conform to the requirements of ANSI, Designation A12.5.1, except spigot ends shall be "plain end", if gasket joints are used.
- C. Any part of the building or street lateral that is located within five (5) feet of a water main or water service shall be constructed of cast iron soil pipe. Cast iron soil pipe may be required by the Superintendent where the building or street lateral is likely to be damaged by tree roots. If installed on fill or unstable ground, the building or street lateral shall be of cast iron soil pipe, although other pipe material may be permitted if such pipe is uniformly supported on a poured concrete cradle approved by the Superintendent. The distance between consecutive joints, as measured along the centerline of the installed pipe, shall not be less than ten (10) feet, except under abnormal circumstances, in which case this dimension may be diminished, if approved by the Superintendent. The size and slope of building and street laterals shall be subject to approval by the Superintendent, but in no event shall the internal pipe diameter be less than 4 inches, nor shall the pipe slope be less than 1/4 inch per foot.
- D. Lateral sewers shall be separated from water mains and services as required by the Ten State Standards.

89-19 Public sewer connection.

- A. At the point of connection of a street lateral to a main sewer, a standard wye fitting and sufficient one-eighth (45 degree) bend fitting shall be used when available. No lateral connection shall be made to the public sewer which permits the flow into the public sewer from the lateral to enter at right angles. All connections to public sewers shall be made under the direct supervision of the Superintendent.
 - 1. If the public sanitary sewer is twelve (12) inches in diameter or less and no properly located wye fitting is available, the owner shall, at his expense, install a wye fitting in the public sanitary sewer at the location specified by the Superintendent. The wye fitting shall be installed so that flow in the "arm" shall transition smoothly into the flow in the public sewer.

2. Where the public sanitary sewer is greater than twelve (12) inches in diameter and no properly located wye fitting is available, a neat hole may be cut into the public sanitary sewer to receive the building sewer, with entry in the downstream direction at an angle of about forty-five degrees (45°). A forty-five degree ell fitting may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sanitary sewer.
- B. A smooth, neat, watertight joint shall be made. When a cut-in into a public sanitary sewer is necessary, the saddle shall be of the same material as the existing main or lateral. The only exception to this rule occurs when cutting into an existing asbestos-cement sanitary sewer. In this case, a cast-iron saddle may be used to make the building sewer connection. Concrete encasement of the connection assembly is required in such an instance. Special fittings may be used for the connection only after approval by the Superintendent.
 - C. No street sewer, from the public sewer to the property line, shall be of a nominal diameter less than six (6) inches. Inside the property line the diameter of the pipe shall not be less than four (4) inches if existing lines are used and not less than five (5) inches for new lines. The inside diameter of the fittings shall be the same diameter as the lateral sewer inside diameter.
 - D. The invert of the lateral sewer at the high point of the connection shall be at the same elevation as or higher than the invert of the public sanitary sewer. Where the public sewer is located at an unusual depth, the connection to the public sewer shall be made as required by the Superintendent.
 - E. Whenever possible, the lateral sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drains shall be lifted by an approved means and discharged in the building sewer. The cost thereof shall be borne by the owner. The term "approved means" signifies that the owner has submitted plans for lifting the sewage to the Superintendent and has received written approval of such system. Only grinder pump type pumping systems shall be allowed.
 - F. Minimum grade: No lateral sewer connection with the public sewer shall be laid at a grade of less than one-inch fall in four (4) feet without a written permit signed by the Superintendent specifying the minimum grade that will be permitted.
 - G. Venting of sanitary sewer connections: No building will be permitted to make any connection whatsoever to the sanitary sewer system unless same soil line extended to a point above the roof and properly vented or is otherwise vented in a manner approved by the Superintendent. A trap and a fresh-air vent is required to be placed in the public sewer line whether

within the dwelling or within five (5) feet of the exterior wall of the dwelling. The construction of the trap and vent shall conform to the New York State Building Code.

- H. Cleanouts shall be installed on all lateral sewers so that the maximum distance between cleanouts is seventy-five (75) feet. If the lateral sewer is less than seventy-five (75) feet in length, no cleanout will be required. In those cases where the length of the lateral sewer is between seventy-five (75) feet and one hundred fifty (150) feet, the cleanout shall be installed at the midpoint of the sewer line. In addition cleanouts will be required at all bends that equal or exceed twenty-three degrees (23°). Cleanouts shall be constructed using Campbell frame and cover No. 1735, or approved equal. Cleanout frames shall be set in a concrete base, thirty-six by three by eight (36 x 3 x 8) inches.
- I. Special Manhole Requirements:
1. No connection shall be made to manholes unless specifically approved, in writing, by the Superintendent or as stated below.
 2. When any lateral sewer is to serve a complex of industrial or commercial buildings, or which, in the opinion of the Superintendent, will receive wastewater or industrial wastes of such volume or character that frequent maintenance of said building or street lateral is anticipated, then such street lateral shall be connected to the public sewer through a manhole. The Superintendent shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Superintendent. If required, a new manhole shall be installed in the public sewer pursuant to Article IV, and the lateral connection made thereto as directed by the Superintendent.

89-20 Laterals location restrictions.

- A. Building laterals laid parallel to a bearing wall shall not be installed closer than three (3) feet to such wall. The building lateral shall enter the basement through the basement wall no less than twelve (12) inches above the basement floor. In no event shall any building lateral be placed below the basement floor; except with the expressed written approval of the Superintendent.
- B. The building lateral shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Changes of direction of 90 degrees or greater shall be made with a cleanout which extends to grade, terminating in a terminal box set in concrete. In building laterals, said cleanouts shall be provided such that the maximum distance between cleanouts is 75 feet. The ends of all building or street laterals, which are not connected to the interior plumbing of the building, for any reason,

shall be sealed against infiltration by a suitable stopper, plug, or by other approved means.

- C. The drainlayer shall install house sewers such distance from the waterline as prescribed by the Ten State Standards, Riverhead Water District and / or the SCDHS.

89-21 Building Lateral pipe installation.

- A. All excavations required for the installation of a building lateral shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfilling, regardless of pipe material used, shall be performed in general accordance with paragraphs 3 through 6 of ASTM Specification C-12, except that trench width, measured at the top of the installed pipe, shall not exceed the outside pipe diameter plus 14 inches and, except that no backfill shall be placed until the work has been inspected by the Superintendent.
- B. All work of laying lateral sewers and connections shall be done in such a manner and at such times as to interfere as little as possible with public travel and convenience, and the drainlayer shall conduct his work as the Superintendent may from time to time direct.
- C. The size, slope, alignment, material or construction of a building sewer and the methods to be used in excavating and placing the pipe, jointing, testing and backfilling the trench shall conform to the requirements of the Building and Plumbing Codes and all applicable rules and regulations of Suffolk County and the Calverton Sewer District. In the absence of code provisions, or in amplifications thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials and Water Pollution Control Federation Manual of Practice No. 9 shall apply. All excavations for building sewer installations shall be guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Superintendent of Highways and/or the Town Board.

89-22 Joints.

- A. Cast Iron Pipe Poured Joints: Poured joints for cast iron pipe shall be firmly packed with oakum or hemp, and the annulus filled with an approved compound not less than 1 inch deep. The said compound shall be run in with a single pouring, and caulked tight, if appropriate for the compound used. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved. The transition joint between cast iron pipe and other pipe materials shall be made with special adapters and jointing materials approved by the Superintendent. If such joints are hot-poured, the material shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a

temperature of 160 degrees F, nor be soluble in any of the wastes carried by the lateral.

- B. Cast Iron Push Joints: Pre-molded gaskets may be used for hub and plain end cast iron pipe joints and joints with fittings, if approved by the Superintendent. The gasket shall be a neoprene compression-type unit which provides a positive seal in the assembled joint. The gasket shall be pre-molded, one-piece unit, designed for joining the cast iron hub and plain end soil pipe and fittings. The assembled joint shall be sealed by compression of the gasket between the exterior surface of the spigot and the interior surface of the hub. The joint shall be assembled following the manufacturer's recommendations using acceptable lubricant and special pipe-coupling tools designed for that purpose. The plain spigot end shall be forced into the hub end of the pipe for the full depth of the hub itself. Lubricant shall be a bland, flax-base, non-toxic material, and shall not chemically attack the gasket material.
- C. PVC Push Joints: Joints for PVC sewer pipe shall follow the manufacturer's recommendations, using properly designed couplings and rubber gaskets pursuant to the published information relating thereto, and conforming to the applicable ASTM specification identified in Section 89-24.

89-23 Testing.

- A. The building lateral shall be tested for infiltration/exfiltration by:
1. any full pipe method described in Article VI, or
 2. by a suitable joint method, with the prior written approval of the Superintendent.

89-24 Connection inspection.

The applicant for the building lateral permit shall notify the Superintendent when the building lateral is ready for inspection and connection is to be made to the street lateral. The connection shall be made under the supervision of the Superintendent.

89-25 Trench inspections.

When trenches are excavated for the laying of building lateral pipes such trenches shall be inspected by the Superintendent. Before the trenches are backfilled, the person performing such work shall notify the Superintendent when the laying of the building lateral is completed, and no backfilling of trenches shall begin until approval is obtained from the Superintendent.

89-26 Public safety provisions required; restoration of disturbed areas.

All excavations for constructing building laterals shall be adequately protected with barricades and lights so as to protect the public from hazard. Streets,

sidewalks, parkways, and other public property disturbed, in the course of the work, shall be restored in a manner satisfactory to the Superintendent.

89-27 Interior clean-out.

An interior clean-out fitting shall be provided for each building lateral at a readily accessible location, preferably just inside the basement wall. The fitting shall contain a 45-degree branch with removable plug or test tee, and so positioned that sewer cleaning equipment can be inserted therein to clean the building lateral. The cleanout diameter shall be no less than the building lateral diameter.

89-28 Costs borne by owner.

All costs associated with the provisions of this Article shall be borne by the property owner unless specifically stated or agreed to be a cost borne by the Town. The property owner shall indemnify the Town from any loss or damage that may be directly or indirectly occasioned by the installation of the building and street laterals, and connections and appurtenances.

ARTICLE VI

Discharge Permits and Pretreatment Requirements

89-29 Recourse of Superintendent.

- A. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters or wastes contain the substances or possess the characteristics enumerated in Article III and which, in the judgement of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:
1. Reject the wastes.
 2. Require pretreatment to obtain compliance with Article 7 of the Suffolk County Sanitary code limits.
 3. Require control over the quantities and rates of discharge.
- B. If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and Suffolk County and subject to the requirements of all applicable codes, ordinances and laws.

89-30 Wastewater discharge permits required.

- A. As a means of determining compliance with this Law, with applicable SPDES permit conditions, and with applicable County, State and Federal

law, each industrial user shall be required to notify the Superintendent of any new or existing discharges to the public sewer by submitting a completed Industrial Chemical Survey (ICS) form and a completed Industrial Wastewater Survey (IWS) form to the Superintendent. The Superintendent may require any user discharging wastewater into the public sewer to file wastewater discharge reports and to supplement such reports as the Superintendent deems necessary. All information shall be furnished by the user in complete cooperation with the Superintendent.

- B. Each industrial user shall comply with Article 7 of the Suffolk County Sanitary Code, applicable Pretreatment Standards, and of other applicable requirements under Section 204(B) and Section 405 of the Clean Water Act, and Subtitles C and D of RCRA.
- C. All Significant Industrial Users proposing to connect to or to discharge to the public sewer shall obtain a Wastewater Discharge Permit before connecting to or discharging to the public sewer. Existing significant industrial users shall make application for a Wastewater Discharge Permit within 30 days after the effective date of this Law, and shall obtain such a permit within 90 days after making application.
- D. No Significant Industrial User shall discharge wastewater to the public sewer without having a valid Wastewater Discharge Permit, issued by the Superintendent. Significant Industrial Users shall comply fully with the terms and conditions of their permits in addition to the provisions of this Law. Violation of a permit term or condition is deemed a violation of this Law.
- E. Discharge Permits to Storm Sewers Not Authorized: The Calverton Sewer District and the Town of Riverhead does not have the authority to issue permits for the discharge of any wastewater to a storm sewer. This authority rests with the NYSDEC.
- F. Application for Wastewater Discharge Permits: All Industrial users are required to obtain a Wastewater Discharge Permit and shall complete and file with the Superintendent an application in the form prescribed by the Town of Riverhead, the application shall be accompanied by a fee. The fee shall be established by the Town Board. In support of any application, the industrial user shall submit, in units and terms appropriate for evaluation, the following information, as a minimum:
 1. Name, address, and location (if different from the address).
 2. SIC code of both the industry and any categorical processes.
 3. Wastewater constituents and characteristics including but not limited to those mentioned in Article III of this Law and which are limited in the appropriate Categorical Standard, as determined by a reliable analytical laboratory approved by the NYSDOH. Sampling and analysis shall be performed in accordance with Standard Methods.

4. Time and duration of the discharge.
 5. Average daily peak wastewater flow rates, including daily, monthly, and seasonal variations, if any.
 6. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, sewer connections, and appurtenances.
 7. Description of activities, facilities, and plant processes on the premises, including all materials which are or could be discharged to the public sewer.
 8. Each product produced by type, amount, process or processes, and rate of production.
 9. Type and amount of raw materials processed (average and maximum per day).
 10. Number and type of employees, and hours of operation, and proposed or actual hours of operation of the pretreatment system.
 11. The nature and concentration of any pollutants in the discharge which are limited by any County, State, or Federal Standards, and a statement whether or not the standards are being met on a consistent basis and if not whether additional Operation and Maintenance (O&M) and/or additional pretreatment is required for the user to meet all applicable Standards.
 12. Any other information as may deemed by the Superintendent to be necessary to evaluate the permit application.
- G. The Superintendent will evaluate the data furnished by the industrial user and may require additional information. After evaluation and acceptance of the data furnished, the Town may issue a Wastewater Discharge Permit subject to terms and conditions provided herein.

89-31 Permit conditions.

- A. Wastewater Discharge Permits shall be expressly subject to all the provisions of this Law, and all other applicable regulations, user charges and fees established by the Town. Permits may contain the following:
1. Limits on the average and maximum rate and time of discharge, or requirements for flow regulation and equalization.
 2. Limits on the average and maximum wastewater constituents and characteristics, including concentration or mass discharge limits.
 3. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the public sewer.
 4. Requirements for installation and maintenance (in safe condition) of inspection and sampling facilities.

5. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.
6. Compliance schedules.
7. Requirements for submission of technical reports or discharge reports.
8. Requirements for maintaining and retaining plant records relating to wastewater discharge, as specified by the Town, and affording the Superintendent access thereto.
9. Requirements for notification of the Town of any new introduction of wastewater constituents or of any substantial change in the volume or character of the wastewater constituents being introduced into the public sewer and STP.
10. Requirements for the notification of the Town of any change in the manufacturing and/or pretreatment process used by the permittee.
11. Requirements for notification of excessive, accidental, or slug discharges.
12. Other conditions as deemed appropriate by the Town to ensure compliance with this Law, and State and Federal laws, rules, and regulations.

89-32 Permit duration and reissuance.

- A. Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than five (5) years at the discretion of the Town Board.
- B. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification, by the Superintendent, during the term of the permit, as limitations or requirements, as identified in Section 89-46 (C), or other just cause exists. The User shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of the change. Any changes or new conditions in the reissued permit shall include a reasonable time schedule for compliance.

89-33 Permit transfer, revocation and modification.

- A. Wastewater Discharge Permits are issued to a specific User for a specific operation, or discharge at a specific location. A Wastewater Discharge Permit shall not be reassigned, transferred, or sold to a new owner, new User, different premises, or a new or changed operation.
- B. Wastewater Discharge Permits may be revoked for the following reasons: falsifying self-monitoring reports, tampering with monitoring equipment, refusing to allow the Superintendent timely access to the industrial

premises, failure to meet effluent limitations, failure to pay fines, failure to pay user charges, and failure to meet compliance schedules.

- C. Wastewater Discharge Permits may be modified by the Superintendent, upon 30 days notice to the permittee, for just cause. Just cause shall include, but not be limited to:
1. promulgation of an applicable National Categorical Pretreatment Standard,
 2. revision of or a grant of a variance from such categorical standards pursuant to 40 CFR 403.13,
 3. changes in general discharge prohibitions and local limit,
 4. changes in processes used by the permittee, or changes in discharge volume or character,
 5. changes in design or capability of any part of the public sewer or STP,
 6. discovery that the permitted discharge causes or contributes to pass through or interference, and
 7. changes in the nature and character of the sewage in the STP as a result of other permitted discharges.

89-34 Reporting requirements for permittee.

- A. The reports or documents required to be submitted or maintained under this section shall be subject to:
1. The provisions of 18 USC Section 1001 relating to fraud and false statements;
 2. The provisions of Sections 309(c)(4) of the Act, as amended, governing false statements, representation or certification; and
 3. The provisions of Section (c)(6) of the Act, as amended, regarding corporate officers.
- B. Baseline Monitoring Report
1. Within 180 days after promulgation of an applicable Federal Categorical Pretreatment Standard, a User subject to that standard shall submit, to the Superintendent, the information required by Section 89-43.
 2. 90-Day Compliance Report: Within 90 days following the date for final compliance with applicable Pretreatment Standards, or, in the case of a New Source, following commencement of the introduction of wastewater into the public sewer, any User subject to Pretreatment Standards and Requirements shall submit, to the Superintendent, a report indicating the nature and concentration of all pollutants in the discharge, from the regulated process, which

are limited by Pretreatment Standards and Requirements, and the average and maximum daily flow for these process units in the User's facility which are limited by such Pretreatment Standards and Requirements. The report shall state whether the applicable Pretreatment Standards and Requirements are being met on a consistent basis, and, if not, what additional O&M and/or pretreatment is necessary to bring the User into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the Industrial User, and certified to by a qualified professional.

C. Periodic Compliance Reports:

1. Any User subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the public sewer, shall submit to the Superintendent, during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Superintendent, a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported in Section 89-43 A. At the discretion of the Superintendent, and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Superintendent may agree to alter the months during which the above reports are to be submitted, however, no fewer than two reports shall be submitted per year.
2. The Superintendent may impose mass limitations on Users, which are using dilution to meet applicable Pretreatment Standards or Requirements, or, in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by Section 89-47 (C)(1) shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the User. These reports shall contain the results of discharge sampling and analysis, including the flow, and the nature and concentration, or production and mass, where requested by the Superintendent, of pollutants contained therein, which are limited by the applicable Pretreatment Standard. All analyses shall be performed in accordance with Standard Methods, by a laboratory certified by NYSDOH to perform the analyses.

D. Violation Report: If sampling, performed by the user, indicates a violation of this Law and/or the User's discharge permit, the User shall notify the Superintendent within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Superintendent within 30 days after becoming aware of the violation. The User is not required to re-sample if the STP

performs monitoring of the User's discharge at least once a month for the parameter which was violated, or if the STP performs sampling, for the parameter which was violated, between the User's initial sampling and when the User receives the results of this sampling.

- E. Other reports: The Superintendent may impose reporting requirements equivalent to the requirements imposed by Section 89-47(C) for users not subject to pretreatment standards.

89-35 Pretreatment requirements.

- A. Flow Equalization: No person shall cause the discharge of slugs to the STP. Each person discharging greater than five percent (5%) of the average daily flow of the STP shall install and maintain, on his property and at his expense, a suitable flow equalization facility to insure equalization of flow over a twenty-four (24) hour period. The facility shall have a capacity for at least fifty percent (50%) of the daily discharge volume and shall be equipped with alarms and a rate of discharge controller, the regulation of which shall be directed by the Superintendent. A Wastewater Discharge Permit must be issued for flow equalization.
- B. Grease, oil and sand interceptors: Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amount or any flammable wastes, sand or other harmful ingredients. All interceptors shall be a type and capacity approved by the Superintendent and shall be located so as to be readily and easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the owner, at his expense.
- C. Monitoring Stations (Control Manholes)
1. All Significant Industrial Users, and other Industrial Users whose industrial waste discharge has caused or may cause interference or pass-through shall install and maintain a suitable monitoring station, on their premises at their expense, to facilitate the observation, sampling, and measurement of their industrial wastewater discharge.
 2. If there is more than one street lateral serving an Industrial User, the Superintendent may require the installation of a control manhole on each lateral.
 3. The Superintendent may require that such monitoring station(s) include equipment for the continuous measurement and recording of wastewater flow rate and for the sampling of the wastewater. Such station(s) shall be accessibly and safely located, and the Industrial User shall allow immediate access, without prior notice, to the station by the Superintendent, or his designated representative.

- D. Proper Design and Maintenance of Facilities and Monitoring Stations: Preliminary treatment, and flow equalization facilities, or monitoring stations, if provided for any wastewater, shall be constructed and maintained continuously clean, safe, and continuously operational by the owner at his expense. Where an Industrial User has such treatment, equalization, or monitoring facilities at the time this Law is enacted, the Superintendent may approve or disapprove the adequacy of such facilities. Where the Superintendent disapproves of such facilities and construction of new or upgraded facilities for treatment, equalization, or monitoring are required, plans and specifications for such facilities shall be prepared by a licensed professional engineer and submitted to the Superintendent. Construction of new or upgraded facilities shall not commence until written approval of the Superintendent has been obtained.
- E. Vandalism, Tampering with Measuring Devices: No unauthorized person shall negligently break, damage, destroy, uncover, deface, tamper with, prevent access, or render inaccurate, or cause or permit the negligent breaking, damaging, destroying, uncovering, defacing, tampering with, preventing access, or rendering inaccurate to:
1. any structure, appurtenance, or equipment which is a part of the Calverton Sewer District, or
 2. any measuring, sampling, and/or testing device or mechanism installed pursuant to any requirement under this Law except as approved by the Superintendent.
- F. Sampling and Analysis:
1. Sampling shall be performed so that a representative portion of the wastewater is obtained for analysis. All measurements, tests, and analyses of the characteristics of waters and wastes required in any section of this Law shall be carried out in accordance with Standard Methods, by a laboratory certified by NYSDOH to perform the analyses. Such samples shall be taken at the approved monitoring stations described in Section 89-48 (C) if such a station exists. If an approved monitoring station is not required, then samples shall be taken from another location on the industrial sewer lateral before discharge to the public sewer. Unless specifically requested otherwise, or unless specifically not allowed in Federal regulation, samples shall be gathered as flow proportioned (where feasible) composite samples made up of individual samples taken not less than once per hour for the period of time equal to the duration of industrial wastewater discharge during daily operations (including any cleanup shift).
 2. Sample Splitting: When so requested in advance by an industrial user, and when taking a sample of industrial wastewater, the Town representative(s) shall gather sufficient volume of sample so that the sample can be split into two nearly equal volumes, each of size

adequate for the anticipated analytical protocols including any Quality Control (QC) procedures. One of the portions shall be given to the representative of the industrial user whose wastewater was sampled, and the other portion shall be retained by the Town for its own analysis.

G. Accidental Discharges:

1. SPCC Plan: Each user shall provide for protection from accidental or slug discharges of prohibited materials or discharges of materials in volume or concentration exceeding limitations of this Law or of an Industrial Wastewater Discharge Permit. Users shall immediately notify the Superintendent of the discharge of wastes in violation of this Law or any Permit. Such discharges may result from:
 - a. Breakdown of pretreatment equipment
 - b. Accidents caused by mechanical failure, or negligence
 - c. Other causes.
2. Where possible, such immediate notification shall allow the Superintendent to initiate appropriate countermeasure action at the STP. The user shall prepare a detailed written statement following any accidental or slug discharge, which describes the causes of the discharge and the measures being taken to prevent future occurrences, within five (5) days of the occurrence, and the Superintendent shall receive a copy of such report no later than the fifth calendar day following the occurrence. Analytical results and their interpretation may be appended to the report at a date not exceeding 45 calendar days after the occurrence.
3. When required by the Superintendent, detailed plans and procedures to prevent accidental or slug discharges shall be submitted to the Superintendent, for approval. These plans and procedures shall be called a Spill Prevention, Control, and Countermeasure (SPCC) Plan. The plan shall address, at a minimum, the following:
 - a. description of discharge practices, including non-routine batch discharges;
 - b. description of stored chemicals;
 - c. procedures for immediately notifying the Superintendent of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any provision of the permit and any National Prohibitive Discharge Standard;
 - d. procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not

limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

89-36 Posting notices and public notification.

- A. In order that the Industrial User's employees be informed of the Town's requirements, a notice shall be permanently posted on appropriate bulletin boards within the user's facility advising employees of the Town requirements and whom to call in case of an accidental discharge in violation of this Law.
- B. When requested, the Superintendent shall make available, to the public, for inspection and/or copying, information and data on industrial users obtained from reports, questionnaires, permit applications, permit and monitoring programs, and inspections, unless the Industrial User specifically requests, and is able to demonstrate to the satisfaction of the Superintendent, that such information, if made public, would divulge processes or methods of production entitled to protection as trade secrets of the user. Wastewater constituents and characteristics, and reports of accidental discharges shall not be recognized as confidential.
- C. Confidential information shall not be made available for inspection and/or copying by the public but shall be disclosed, upon written request, to governmental agencies, for uses related to this Law, or the SPDES Permit, providing that the governmental agency making the request agrees to hold the information confidential, in accordance with State or Federal Laws, Rules and Regulations. The Superintendent shall provide written notice to the industrial user of any disclosure of confidential information to another governmental agency.
- D. Public Notification: The Town will publish in the Town official daily newspaper(s), informal notice of intent to issue a Wastewater Discharge Permit, at least 14 days prior to issuance.

89-37 Entry on private property.

- A. The Superintendent and other authorized representatives of the Town, representatives of EPA, NYSDEC, NYSDOH, and/or SCDHS, bearing proper credentials and identification, shall be permitted to enter upon all properties at all times for the purpose of inspection, observation, sampling, flow measurement, and testing to ascertain a user's compliance with applicable provisions of Federal and State law governing use of the public sewer and STP and with the provisions of this Law. Inspections of residential properties shall be performed in proper observance of the resident's civil rights. Such representative(s) shall have the right to set up,

on the User's property or property rented/leased by the User, such devices as are necessary to conduct sampling or flow measurement. Guard dogs shall be under proper control of the User while the representatives are on the User's property or property rented/leased by the User. Such representative(s) shall, additionally have access to and may copy any records the User is required to maintain under this Law. Where a User has security measures in force which would require proper identification and clearance before entry into the premises, the user shall make necessary arrangements so that upon presentation of suitable identification, inspecting personnel will be permitted to enter, without delay, for the purpose of performing their specific responsibilities.

- B. Access to Easements: The Superintendent and/or his agents, bearing proper credentials and identification, shall be permitted to enter all private premises through which the Town holds an easement for the purpose of inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Town public sewer system lying within the easement. All entry and subsequent work on the easement shall be done in accordance with the terms of the easement pertaining to the private premises involved.
- C. Liability of Property Owner: During the performance, on private premises, of inspections, sampling, or other similar, the inspectors shall observe all applicable safety rules established by the owner or occupant of the premises. The owner and/or occupant shall be held harmless for personal injury or death of the inspector and the loss of or damage to the inspector's supplies and/or equipment; and the inspector shall indemnify the owner and/or occupant against loss or damage to property of the owner or occupant by the inspector and against liability claims asserted against the owner or occupant for personal injury or death of the inspector or for loss of or damage to the inspector's supplies or equipment arising from inspection and sampling operations, except as such may be caused by negligence or failure of the owner or occupant to maintain safe conditions.

89-38 Special agreements.

- A. Nothing in this Article shall be construed as preventing any special agreement or arrangement between the Town and any User of the public sewer or STP whereby wastewater of unusual strength or character is accepted and specially treated, subject to any payments or user charges, as may be applicable. In entering into such a special agreement, the Town Board shall consider whether the wastewater will:
 1. meet Article 7 of the Suffolk County Sanitary Code
 2. pass-through or cause interference,
 3. endanger the public municipal employees,
 4. cause violation of the SPDES Permit,

4. interfere with any Purpose stated in Section 89-2 or
 5. prevent the equitable compensation to the Town for wastewater conveyance and treatment, and sludge management and disposal
- B. No discharge which violates the Federal Pretreatment Standards will be allowed under the terms of such special agreements.
- C. No agreement shall be entered into without the user having been issued and presently having a permit to discharge wastes into the public sewer for treatment and disposal. Additionally the user shall be in compliance with all conditions in the permit and shall not be in arrears in any charges due to the Town before the agreement is entered into. The Town Board may condition the agreement.

ARTICLE VII Enforcement and Penalty

89-39 Administrative remedies.

- A. Notification of Violation: Whenever the Superintendent finds that any User has violated or is violating this Law, or any Wastewater Discharge Permit, order, prohibition, limitation, or requirement permitted by this Law, the Superintendent may serve upon such person a written notice stating the nature of the violation. Within ten (10) calendar days of the date the Superintendent mails the notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof shall be submitted to the Superintendent, by the User. The correction and prevention plan shall include specific actions. Submission of this plan in no way relieves the User of liability for any violations caused by the User before or after receipt of the Notice of Violation.
- B. Consent Orders: The Superintendent is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the User responsible for the noncompliance. Such orders shall include specific action to be taken by the User to correct the noncompliance within a time period also specified by the order. Consent Orders shall have the same force and effect as an administrative order.
- C. Administrative or Compliance Orders:
1. When the Superintendent finds that a User has violated or continues to violate this Law or a permit or administrative order issued thereunder, he may issue an administrative order to the User responsible for the discharge directing that, following a specified time period, sewer service shall be discontinued, severed and abated unless the violation is corrected and that there is no reoccurrence of the violation. Administrative orders may also

contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment technology, additional self-monitoring, and management practices.

2. The User may, within fifteen (15) calendar days of receipt of such order, petition the Superintendent to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Superintendent by registered mail. The Superintendent shall then:
 - a. Reject any frivolous petitions,
 - b. Modify or suspend the order, or
 - c. Order the petitioner to show cause in accordance with Paragraph H of this Section and may as part of the show cause notice request the User to supply additional information.

D. Administrative Fines:

1. Notwithstanding any other section of this Law, any User who is found to have violated any provision of this Law, or a wastewater discharge permit or administrative order issued hereunder, shall be fined in an amount not to exceed one thousand dollars (\$1,000.00) per violation. Each day on which noncompliance shall occur or continues shall be deemed a separate and distinct violation.
2. The User may, within fifteen (15) calendar days of notification of the Superintendent's notice of such fine, petition the Superintendent to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Superintendent by registered mail. The Superintendent shall then:
 - a. Reject any frivolous petitions,
 - b. Modify or suspend the fine, or
 - c. Order the petitioner to show cause in accordance with Paragraph H of this Section and may as part of the show cause notice request the User to supply additional information.

E. Cease and Desist Orders:

1. When the Superintendent finds that a User has violated or continues to violate this Law or any permit or administrative order issued hereunder, the Superintendent may issue an administrative order to cease and desist all such violations and direct those persons in noncompliance to:
 - a. Comply forthwith

- b. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations or terminating the discharge.
 - 2. The User may, within fifteen (15) calendar days of the date the Superintendent mails notification of such order, petition the Superintendent to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Superintendent by registered mail. The Superintendent shall then:
 - a. Reject any frivolous petitions,
 - b. Modify or suspend the order,
 - c. Order the petitioner to show cause in accordance with Paragraph H of this Section and may as part of the show cause notice request the User to supply additional information.
- F. Termination of Permit:
 - 1. Any User who violates the following conditions of this Law or a Wastewater Discharge Permit or administrative order, or any applicable or State and Federal law, is subject to permit termination:
 - a. Violation of permit conditions or conditions of an administrative order,
 - b. Failure to accurately report the wastewater constituents and characteristics of its discharge,
 - c. Failure to report significant changes in operations or wastewater constituents and characteristics,
 - d. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling, or
 - 2. Failure to pay administrative fines, fees or user charges.
 - 3. Non-compliant industrial Users will be notified, by registered mail, of the proposed termination of their wastewater permit.
 - 4. The User may, within fifteen (15) calendar days of the date the Superintendent mails such notification, petition the Superintendent to permit continued use of the PUBLIC SEWER AND STP by the user. Such petition shall be in written form and shall be transmitted to the Superintendent by registered mail. The Superintendent shall then:
 - a. Reject any frivolous petitions,
 - b. Order the petitioner to show cause in accordance with Paragraph H of this Section and may as part of the show

cause notice request the User to supply additional information.

G. Water Supply Severance

1. Whenever a User has violated or continues to violate the provisions of this Law or an order or permit issued hereunder, water service to the User may be severed and service will only recommence, at the User's expense, after it has satisfactorily demonstrated its ability to comply.
2. The User may, within fifteen (15) calendar days of severance, petition the Superintendent to reconnect water supply service. Such petition shall be in written form and shall be transmitted to the Superintendent by registered mail. The Superintendent shall then:
 - a. Reject any frivolous petitions,
 - b. Reconnect the water supply, or
 - c. Order the petitioner to show cause in accordance with Paragraph H of this Section and may as part of the show cause notice request the User to supply additional information.

H. Show Cause Hearing:

1. The Superintendent may order any User appealing administrative remedies for violations of this Law to show cause, before the Town Board, why an enforcement action, initiated by the Superintendent, should not be taken. A notice shall be served on the User specifying the time and place of a hearing to be held by the Town Board regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the User to show cause before the Town Board why the proposed enforcement action should not be taken. The notice of the hearing shall be served at least ten (10) calendar days before the hearing in accordance with Paragraph J of this Section. Service shall be made on any principal or executive officer of a User's establishment or to any partner in a User's establishment. The notice of the hearing shall be served at least ten (10) calendar days before the hearing, in accordance with Paragraph J of this Section.
2. The Town Board may itself conduct the hearing, or may designate any of its members or any officer or employee of the Town to conduct the hearing:
 - a. Issue, in the name of the Town Board, notices of hearings requesting the attendance and testimony of witnesses, and the production of evidence relevant to any matter involved in such hearings,
 - b. Take the evidence,

- c. Take sworn testimony,
 - d. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Town Board for action thereon.
3. After the Town Board has reviewed the evidence and testimony, it may order the user to comply with the Superintendent's order or fine, modify the Superintendent's order or fine, or vacate the Superintendent's order or fine.
- I. Failure of User to Petition the Superintendent: In the event the Superintendent issues any administrative order, terminates the User's permit, or makes any fine as set forth in this article, and the User fails, within the designated period of time set forth, to petition the Superintendent, as provided in appropriate sections of this article, the User shall be deemed in default and its rights to contest the administrative order or fine shall be deemed waived.
 - J. Notice: The notices, orders, petitions, or other notification which the User or Superintendent shall desire or be required to give pursuant to any sections of this Law shall be in writing and shall be served personally or sent by certified mail or registered mail, return receipt requested, postage prepaid, and the notice, order, petition, or other communication shall be deemed given upon its mailing as provided herein. Any notice, administrative order, or communication mailed to the User pursuant to the sections of this Law shall be mailed to the User where the User's effluent is discharged into transmission lines to the Calverton STP. Any notice, petition, or other communication mailed to the Superintendent shall be addressed and mailed to the Town Hall of the Town of Riverhead.
 - K. Right to Choose Multiple Remedies: The Superintendent shall have the right, within the Superintendent's sole discretion, to utilize any one or more appropriate administrative remedies set forth in this Article. The Superintendent may utilize more than one administrative remedy established pursuant to this Article, and the Superintendent may hold one show cause hearing combining more than one enforcement action.

89-40 Judicial remedies.

- A. Civil Actions For Penalties:
 - 1. Any person who violates any of the provisions of or who fails to perform any duty imposed by this Law, or any administrative order or determination of the Superintendent promulgated under this Law, or the terms of any permit issued hereunder, shall be liable to the Town for a civil penalty not to exceed one thousand dollars (\$1000) for each such violation, to be assessed after a hearing (unless the User waives the right to a hearing) held in conformance with the procedures set forth in this Article. Each violation shall be

separate and distinct violation, and in the case of continuing violation, each day's continuance thereof shall be deemed a separate and distinct violation. Such penalty may be recovered in an action brought by the Town attorney, or his designated attorney, at the request of the Superintendent in the name of the Town, in any court of competent jurisdiction giving preference to courts local to the Town. In addition to the above described penalty, the Superintendent may recover all damages incurred by the Town from any persons or Users who violate any provisions of this Law, or who fail to perform any duties imposed by this Law or any administrative order or determination of the Superintendent promulgated under this Law, or the terms of any permit issued hereunder. In addition to the above described damages, the Superintendent may recover all reasonable attorney's fees incurred by the Town in enforcing the provisions of this Article, including reasonable attorney's fees incurred in any action to recover penalties and damages, and the Superintendent may also recover court costs, and other expenses associated with the enforcement activities, including sampling and monitoring expenses.

2. In determining the amount of civil penalty, the court shall take into account all relative circumstances, including, but not limited to the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other relative factors as justice may require.
3. Such civil penalty may be released or compromised by the Superintendent before the matter has been referred to the Town attorney, and where such matter has been referred to the Town attorney, any such penalty may be released or compromised and any action commenced to recover the same may be settled and discontinued by the Town attorney, with the consent of the Superintendent.

B. Court Orders

1. In addition to the power to assess penalties as set forth in this Article, the Superintendent shall have the power, following the hearing held in conformance with the procedures set forth in this Article, to seek an order:
 - a. suspending, revoking, or modifying the violator's Wastewater Discharge Permit, or
 - b. enjoining the violator from continuing the violation.
2. Any such court order shall be sought in an action brought by the Town attorney, at the request of the Superintendent, in the name of

the Town, in any court of competent jurisdiction giving precedence to courts local to the Town.

3. The Town attorney, at the request of the Superintendent shall petition the Court to impose, assess, and recover such sums imposed according to this Article. In determining amount of liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

C. Criminal Penalties:

1. Any person who willfully violates any provision of this Law or any final determination or administrative order of the Superintendent made in accordance with this Article shall be guilty of a Class A Misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than Five Hundred Dollars (\$500) nor more than One Thousand Dollars (\$1,000), or imprisonment not to exceed one (1) year or both. Each offense shall be a separate and distinct offense, and, in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense.

2. Any User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this Law, or wastewater permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Law shall be guilty of a Class A Misdemeanor and, upon conviction, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) per violation per day or imprisonment for not more than one (1) year or both.

3. No prosecution, under this Section, shall be instituted until after final disposition of a show cause hearing, if any, was instituted.

- D. Additional Injunctive Relief: Whenever a User has violated or continues to violate the provisions of this Law or permit or order issued hereunder, the Superintendent, through counsel may petition the Court, in the name of the Town, for the issuance of a preliminary or permanent injunction or both (as may be appropriate) which restrains the violation of, or compels the compliance with any order or determination thereunder by the Superintendent.

E. Summary Abatement

1. Notwithstanding any inconsistent provisions of this Law, whenever the Superintendent finds, after investigation, that any User is causing, engaging in, or maintaining a condition or activity which, in the judgement of the Superintendent, presents an imminent

danger to the public health, safety, or welfare, or to the environment, or is likely to result in severe damage to the public sewer, STP or the environment, and it therefore appears to be prejudicial to the public interest to allow the condition or activity to go unabated until notice and an opportunity for a hearing can be provided, the Superintendent may, without prior hearing, order such User by notice, in writing wherever practicable or in such other form as practices are intended to be proscribed, to discontinue, abate, or alleviate such condition or activity, and thereupon such person shall immediately discontinue, abate, or alleviate such condition or activity; or where the giving of notice is impracticable, or in the event of a User's failure to comply voluntarily with an emergency order, the Superintendent may take all appropriate action to abate the violating condition. As promptly as possible thereafter, not to exceed fifteen (15) calendar days, the Superintendent shall provide the User an opportunity to be heard, in accordance with the provisions of this Article.

2. If the User is not within the geographic boundaries of the Town the right of summary abatement to discontinue, abate, or alleviate conditions or activities shall be those prescribed in the inter-municipal agreement.
3. The Superintendent, acting upon the belief that an emergency exists, shall be indemnified against any personal liability that may arise in the performance of his duties to protect the public health, safety, or welfare, or to preserve the public sewer and STP or the environment.

89-41 Miscellaneous.

A. Delinquent Payments:

1. If there shall be any payments which are due to the Town, or any Department thereof, pursuant to any Article or Section of this Law, which shall remain due and unpaid, in whole or in part, for a period of twenty (20) calendar days from the date of billing by the Town, the same shall constitute a default, and there shall be added to the entire amount of the original bill, a penalty equal to twenty percent (20%) of the original bill, and interest shall accrue on the unpaid balance, at the rate of two percent (2%) per month, retroactive to the date of the original billing.
2. In the event that there are any sewer taxes, assessments, or other service charges which shall have been delinquent for a period of at least sixty (60) calendar days as of December 15 of any year, the Superintendent shall report the names of the defaulting persons to the Town Supervisor, the Town Clerk, the Town Chief Assessor, and the Town Treasurer on or before December 15 of the same

year. The Town Chief Assessor is hereby directed to add the entire amount of the sewer tax, assessment, or other service charge which shall be in default, plus penalty and interest, as provided for in this Law, to the real property taxes due and owing to Town in the next succeeding year, and the Town Chief Assessor is directed to collect the same in the same manner as real property taxes due and owing to the Town are collected.

3. Where charges are delinquent and the violator is not a resident of the Town, or is located outside the geographical boundaries of the Town, then the Town attorney is authorized to seek recovery of charges, including punitive damages, in a court of competent jurisdiction or make arrangements with the appropriate county where the User is located to add the amount of the sewer assessment or other charges which shall be in default, plus penalty and interest, as provided for in the Law, to the real property taxes due to the County in the next ensuing year.
 4. Performance bonds: The Superintendent may decline to reissue a permit to any User which has failed to comply with the provisions of this Law or any order or previous permit issued hereunder unless such User first files with it a satisfactory bond, payable to the Calverton Sewer District, in a sum not to exceed a value determined by the Superintendent to be necessary to achieve consistent compliance.
- B. Liability insurance: The Superintendent may decline to reissue a permit to any User which has failed to comply with the provisions of this Law or any order or previous permit issued hereunder, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair public sewer and STP damage caused by its discharge.
- C. Informant rewards: The Superintendent is authorized to pay up to \$500 for information leading to the discovery of noncompliance by a User. In the event that the information provided results in an administrative fine or civil penalty levied against the User, the Superintendent is authorized to disperse up to ten (10) percent of the collected fine or penalty to the informant. However, a single reward payment may not exceed \$10,000, including the discovery reward.
- D. Public Notification: The Superintendent shall provide public notification, in the daily newspaper with the largest circulation in the Town, of Users which were in significant non-compliance of local or Federal pretreatment standards or requirements since the last such notice. The frequency of such notices shall be at least once per year.
- E. Contractor Listings:
1. Users which have not achieved consistent compliance with applicable pretreatment standards and requirements are not eligible

to receive a contractual award for the sale of goods or services to the Town.

2. Existing contracts for the sale of goods or services to the Town held by a User found to be in significant violation with pretreatment standards may be terminated at the discretion of the Town Board.

ARTICLE VIII Trucked or Hauled Waste

89-42 Licenses and application.

- A. The discharge of trucked or hauled wastes into the sewer system and public sewers tributary thereto will not be permitted.

ARTICLE IX

SEWER RENTS

89-43 Sewer rents established; purpose.

There is hereby established in the Calverton Sewer District a scale of rents to be called "sewer rents," the revenues from which shall be used for the payment of the cost of the management, maintenance, operation and repair of the sanitary sewer systems including treatment and disposal works.

89-44 Liability for and computation of rent.

In addition to any and all other fees and charges provided by law, the owner of any parcel of land served by the sanitary sewer system of the Calverton Sewer District shall pay a sewer rent for the use of such sanitary sewer system. Such sewer rent shall become due and payable annually, and the rate thereof shall be determined by the Town Boards of the Town of Riverhead by a resolution duly adopted by a majority of its membership during the month of November, prior to November 15, to coincide with the adoption of the sewer budget. The rate so adopted shall be based upon the consumption of water during the annual period prior to the preceding June 30, according to the records of the Riverhead Water District, except as hereinafter provided.

89-45 Charge to metered consumers of water.

In the case of metered consumers of water supplied by the Riverhead Water Department, the sewer rent charge, except as hereinafter provided, shall be computed and fixed by multiplying the amount of water consumed during the four

(4) quarterly meter reading periods prior to the preceding June 30, according to the records of the Riverhead Water District, by the rate established as aforesaid.

89-46 Determination of charge in special cases.

In the case of metered consumers of water supplied by the Riverhead Water District who contribute to the sewer system an amount of sewage substantially less than or substantially greater than the amount of water supplied to such metered consumer, or in the case of owners of real property who are not supplied with water by the Riverhead Water District but are connected to the sewer system, the Town Board of the Town of Riverhead shall fix and determine the sewer rent charge applicable to such real property upon such equitable basis as shall be determined by said board.

89-47 Charge to properties where sewage meters installed.

At the option of an owner of real property being served by the sewer system who is affected by Section 89-4 above, such owner may, at his own expense and subject at all times to the approval of the Superintendent of the Calverton Sewer District or other designated official, install, operate and maintain sewage meters, gauges or other suitable devices for measuring the amount of sewage contributed to the sewer system. In such cases the quantity of sewage shall be determined by such metering device and the sewer rent applicable thereto shall be the amount which would be imposed for the consumption of a like amount of water during the prior annual period.

89-48 Survey and report by Superintendent.

It shall be the duty of the Superintendent of the Calverton Sewer District or other designated official to make a survey annually or at such other times as may be required by the Town Board of the Town of Riverhead, to determine whether there is being discharged into the sewer system sewage or other waste, which, in the opinion of such Superintendent, contains unduly high concentrations of solids or any other substance adding to the operating costs of the sewer system. Upon the completion of such survey, he shall file with said Board a report of his findings, indicating whether additional sewer rent charges should be levied for such sewage or other waste, and if so, he shall set forth recommended charges for the same. Said Board is authorized to fix and determine such additional sewer rent charge therefor as shall be equitable, in addition to the sewer rents herein provided.

89-49 Payment; collection; lien.

Sewer rents shall become due and payable on the first day of December in each year or on such other date or dates as may be determined by the Town Board of the Town of Riverhead, and shall be collected by the Receiver of Taxes. Said rents shall constitute a lien on the real property served by the sewer system.

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

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 68,813.07	\$ 68,813.07
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ 194.60	\$ 194.60
RECREATION PROGRAM	006	\$ -	\$ -	\$ -
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ 954.00	\$ 954.00
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ 2,482.11	\$ 2,482.11
WATER	112	\$ -	\$ 3,727.75	\$ 3,727.75
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 2,943.05	\$ 2,943.05
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ -	\$ -
STREET LIGHTING	116	\$ -	\$ -	\$ -
PUBLIC PARKING	117	\$ -	\$ 91.33	\$ 91.33
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ -	\$ -
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 216.19	\$ 216.19
CALVERTON SEWER DISTRICT	124	\$ -	\$ 3,046.25	\$ 3,046.25
WORKER'S COMPENSATION FUND	173	\$ -	\$ 4,677.94	\$ 4,677.94
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ 65.73	\$ 65.73
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ -	\$ -
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ 72.29	\$ 72.29
WATER DEBT	383	\$ -	\$ 1,983.95	\$ 1,983.95
GENERAL FUND DEBT SERVICE	384	\$ -	\$ 1,632.05	\$ 1,632.05
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 9,163.45	\$ 9,163.45
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	\$ -	\$ 27.89	\$ 27.89
MUNICIPAL GARAGE	626	\$ -	\$ -	\$ -
TRUST & AGENCY	736	\$ -	\$ -	\$ -
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 50,915.51	\$ 50,915.51
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 1,577.05	\$ 1,577.05
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 152,584.11	\$ 152,584.11

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

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

FUND NAME		CD-11/15/00	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 3,700,000.00	\$ 655,527.58	\$ 4,355,527.58
PARKING METER	002	\$ -	\$ 31.16	\$ 31.16
AMBULANCE	003	\$ 14,000.00	\$ -	\$ 14,000.00
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 1,205.50	\$ 1,205.50
TEEN CENTER	005	\$ 9,000.00	\$ -	\$ 9,000.00
RECREATION-PROGRAM	006	\$ 25,000.00	\$ 327.80	\$ 25,327.80
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ 558.08	\$ 558.08
CHILD CARE CENTER BUILDING FUND	009	\$ 20,000.00	\$ -	\$ 20,000.00
AG-FEST COMMITTEE FUND	021	\$ -	\$ 479.55	\$ 479.55
YOUTH COURT SCHOLARSHIP FUND	025	\$ 250.00	\$ -	\$ 250.00
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 2,260.30	\$ 2,260.30
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ 480.00	\$ 480.00
EDZ FUND	030	\$ -	\$ 1,608.31	\$ 1,608.31
HIGHWAY	111	\$ 725,000.00	\$ 65,837.28	\$ 790,837.28
WATER	112	\$ 1,850,000.00	\$ 57,854.55	\$ 1,907,854.55
REPAIR & MAINTENANCE	113	\$ 525,000.00	\$ -	\$ 525,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 875,000.00	\$ 42,473.39	\$ 917,473.39
REFUSE & GARBAGE COLLECTION	115	\$ 400,000.00	\$ 22,710.88	\$ 422,710.88
STREET LIGHTING	116	\$ 250,000.00	\$ 18,954.83	\$ 268,954.83
PUBLIC PARKING	117	\$ 100,000.00	\$ 2,903.19	\$ 102,903.19
BUSINESS IMPROVEMENT DISTRICT	118	\$ 15,000.00	\$ 396.19	\$ 15,396.19
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 30,000.00	\$ 902.02	\$ 30,902.02
CALVERTON SEWER DISTRICT	124	\$ 60,000.00	\$ 1,739.00	\$ 61,739.00
WORKER'S COMPENSATION FUND	173	\$ 850,000.00	\$ 6,895.20	\$ 856,895.20
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ 200,000.00	\$ 29,178.28	\$ 229,178.28
UNEMPLOYMENT INSURANCE FUND	176	\$ 2,500.00	\$ -	\$ 2,500.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 5,542.28	\$ 5,542.28
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 20,000.00	\$ -	\$ 20,000.00
SEWER DISTRICT DEBT	382	\$ 50,000.00	\$ 161,394.79	\$ 211,394.79
WATER DEBT	383	\$ 215,000.00	\$ 4,047,641.35	\$ 4,262,641.35
GENERAL FUND DEBT SERVICE	384	\$ -	\$ 2,450,717.15	\$ 2,450,717.15
SCAVENGER WASTE DEBT	385	\$ 85,000.00	\$ -	\$ 85,000.00
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 145,463.67	\$ 145,463.67
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 2,359.60	\$ 2,359.60
SENIORS HELPING SENIORS	453	\$ -	\$ 1,701.59	\$ 1,701.59
EISEP	454	\$ -	\$ 995.85	\$ 995.85
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 135,000.00	\$ 8,155.60	\$ 143,155.60
MUNICIPAL GARAGE	626	\$ 40,000.00	\$ 9,069.34	\$ 49,069.34
TRUST & AGENCY	735	\$ -	\$ 647,151.66	\$ 647,151.66
SPECIAL TRUST	736	\$ 140,000.00	\$ -	\$ 140,000.00
COMMUNITY PRESERVATION FUND	737	\$ 15,000.00	\$ -	\$ 15,000.00
CDA-CALVERTON	914	\$ -	\$ 4,774.14	\$ 4,774.14
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ 95,000.00	\$ 26,405.13	\$ 121,405.13
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 10,446,760.00	\$ 8,423,695.24	\$ 18,869,445.24

THE VOTE
 Denstesk Yes No Cardinal Yes No
 Kent Yes No Lull Yes No
 Korackiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

11/21/00

Adopted

TOWN OF RIVERHEAD

Resolution 1045

ESTABLISHES A REWARD

COUNCILMAN DENSIESKI

_____ offered the following resolution which was

COUNCILMAN CARDINALE

seconded by _____.

WHEREAS, on November 20, 2000, an opening was illegally cut in the fence surrounding the EPCAL property; and

WHEREAS, said opening created a breach in the security of the premises, and

WHEREAS, the Town of Riverhead Police Department is investigating the incident to determine the identity of individual who created the opening, and

WHEREAS, the Town's ability to provide security of the EPCAL premises is essential for the licensees currently utilizing the buildings at the site, and

WHEREAS, the Town Board believes that offering a reward would assist the Town of Riverhead Police Department in identifying the perpetrator,

NOW, THEREFORE, be it resolved that the Town Board of the Town of Riverhead hereby establishes a reward in the sum of \$1,000.00 to be paid to the individual who provides information leading to the arrest and conviction of the individual who cut the illegal opening in the EPCAL fence, and be it further

RESOLVED that the Town Clerk is authorized to advertise the reward in the Town's official newspaper, and be it further

RESOLVED that a copy of this resolution be transmitted to the Town Clerk, Police Chief and 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