

Town Clerk
Barbara Grattan

**TOWN BOARD MEETING
AGENDA
December 18th, 2001**

ROBERT F. KOZAKIEWICZ, Supervisor

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

**Christopher Kent, Councilman
James Lull Councilman**

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

ELECTED OFFICIALS

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

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

DEPARTMENT HEADS

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

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

CORRESPONDENCE

- Peter Danowski:** Re: Subdivision –Country Trails-Petition for the construction of Lateral Water Mains.
- Charles Cuddy:** Re: Northside Road Subdivision-Petition for Lateral Extension of Water District.
- Letters:** Six Letters Received in support of Reliance Leasing Co. to Expand the recycling operation on Youngs Ave.
- Two letters opposing the recycling facility.

COMMITTEE REPORTS

PUBLIC HEARINGS

- 2:05 p.m.** The purchase of 1.62 acres of riverfront lands owned by Peconic River Babies Corp. located on West Main Street, Riverhead.
- 2:10 p.m.** The Consideration of a Local Law amending Article XXXXI entitled "Wireless Communications and Antennas" of Chapter 108.
- 2:15 p.m.** The Consideration of a local Law amending Section 52-10 entitled "Building Construction" of the Riverhead Town Code.
- 2:20 p.m.** The Consideration of a Local Law amending Section 58.1 entitled "Yard Sales" of Article XIII entitled "Supplementary Use Regulations" of Chapter 108.

Call to Order and Salute to the Flag

Approves Minutes of Town Board Meeting of December 4th, 2001,
moved by Councilperson Jull, seconded
by Councilperson Jensieski.

HAPPY HOLIDAYS TO EVERYONE

REPORTS

Police Dept. Monthly Report for October, 2001.

Recreation Dept. Monthly Report for November, 2001
Total Collected: \$5823.00

Monthly Report for October, 2001
Total Collected: \$10,865.30

Juvenile Aid Bureau: Monthly Report for November, 2001

Open Bid Reports: Yard Waste @ Youngs Avenue-opened: 12/13/01
Two Bids Received

1. Crown Sanitation
2. Emil Norsic & Sons

(Results in Town Clerk's Office)

Spill Containment System for Sewer-opened: 12/13/01
Four Bids Received

- | | |
|-------------------------------|-------------|
| 1. East Area Contractors | \$28,989.00 |
| 2. Phillip Ross Industries | \$43,000.00 |
| 3. Ferran Development | \$52,750.00 |
| 4. Bancker Construction Corp. | \$58,600.00 |

APPLICATIONS

Site Plan: Riverhead Bay Motors-construction of (2) auto dealer facilities.

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

- #25** Authorizing Chairman to Execute Documents Relating to New York State Department of Transportation Real Property Appropriation

Regular Town Board Meeting:

- #1254** Establishes Time of Regular Meetings of the Town Board for 2002
- #1255** Conditionally Approves Special Permit Petition of William Dries & Anthony Specchio
- #1256** Approves Site Plan of Mid Road Properties, LLC.
- #1257** Approves Amended Site Plan of Sunken Ponds
- #1258** Approves Amended Site Plan of Kamco Supply Corp.
- #1259** Approves Amended Site Plan of First Pioneer Farm Credit
- #1260** Amends Resolution #1225
- #1261** Authorizing the Transfer of County Owned Property to the Town of Riverhead
- #1262** Order Calling Public Hearing- Northside Road Subdivision Lateral Water Main- RWD
- #1263** Order Calling Public Hearing- Soundview Meadows Subdivision Lateral Water Main- RWD
- #1264** Order Calling Public Hearing- Extension 56B to the Riverhead Water District- Sunken Pond Estates- Section 3
- #1265** Order Calling Public Hearing- Extension 65 to the Riverhead Water District- The Woods at Cherry Creek
- #1266** Authorizing the Settlement of Town of Riverhead vs. Town of Southampton, Suffolk Supreme Court, Index No. 99-26893
- #1267** Authorizes the Supervisor to Execute an Agreement between the Riverhead Business Improvement District Management Association and the Town of Riverhead
- #1268** Authorizes the Supervisor to Enter into an Agreement with New York State Armory
- #1269** Authorizes the Supervisor to Execute an Agreement Between Town of Riverhead and a Riverhead Town Employee
- #1270** Authorizes Stipulation of Settlement

- #1271** Directs the Supervisor to Take Specified Action Regarding Cablevision Franchise Agreement
- #1272** Directs the Supervisor to Take Specified Action Regarding Suffolk Theater
- #1273** Authorizes Attendance at the Government Finance Officers' Association National Training Seminar
- #1274** Appoints Marriage Officer
- #1275** General Fund Budget Adjustment
- #1276** Polish Town Beautification Project Budget Adoption
- #1277** Sewer District Budget Adjustment
- #1278** Water District Budget Adjustment
- #1279** Joint Scavenger Waste District Budget Adjustment
- #1280** Community Development Agency- Calverton Budget Adjustment
- #1281** General Town Debt Service Budget Adjustment
- #1282** Water Debt Service Budget Adjustment
- #1283** Risk Retention Fund Budget Adjustment
- #1284** Calverton Sewer District Budget Adjustment
- #1285** Ambulance Fund Budget Adjustment
- #1286** Business Improvement District Budget Adjustment
- #1287** Recreation Program Fund Budget Adjustment
- #1288** Animal Shelter Donation Fund Budget Adjustment
- #1289** Street Lighting District Budget Adjustment
- #1290** Ratifies Authorization to Post and Publish Notice to Bidders to Provide and Install Skatepark Equipment
- #1291** Authorizes Town Clerk to Publish and Post Notice to Bidders for Riverhead Water District -Water Mains & Appurtenances-Project 00-53-Birchwood at Wading River -Section 1
- #1292** Awards Bid for Office Products & Furniture

- #1293** A Resolution Authorizing the Issuance of an Additional \$5,000 Serial Bonds of the Town of Riverhead to Pay Additional Costs of the Reconstruction of the Roof of the Highway Barn/Administrative Office Building on Osborne Avenue in and for said Town.
- #1294** Establishes Secondary Yard Waste Fees
- #1295** Approves Six Month (6) Extension-Temporary Sign Permit of "The Horizon" (Condominium Units)
- #1296** Authorizes Town of Riverhead to Grant Permission to Erect a Memorial Flagpole
- #1297** Approves Temporary Sign Permit of "The Wiz" (Banner)
- #1298** Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Account Clerk Typist
- #1299** Accepts Resignation of Rene Ward in the Seniors Department
- #1300** Authorizes the Supervisor to Execute a Commuter Parking Lease Between the Long Island Railroad/Metropolitan Transportation Authority and the Town of Riverhead
- #1301** Approves Special Permit Petition of Headriver, LLC
- #1302** Pays Bills
- #1303 Rescinds General Construction Bid Award for Senior Citizen Human Resource Center
- #1304 Authorizes the Substitution and Release of Security Posted in Connection with Subdivision Entitled, "Darren Development Crescent on the Sound, Wading River, New York

Adopted

12/18/01

Town of Riverhead Community Development Agency

Resolution # 25

Authorizes Chairman to Execute Documents Relating to New York State Department of Transportation Real Property Appropriation

COUNCILMAN LULL

Member _____ offered the following resolution,

which was seconded by Member _____ **COUNCILMAN KENT**

WHEREAS, pursuant to Section 30 of the Highway Law and Eminent Domain Procedure Law as amended, the New York State Department of Transportation (DOT) has identified property (.29 acres) owned by the Town of Riverhead Community Development Agency (CDA) and located within lands formerly owned by the U.S. Navy and now referred to as the Calverton Enterprise Park, which it has been determined is necessary for the construction of drainage improvements to address flooding on Route 25; and

WHEREAS, the DOT has undertaken an appraisal and has offered the CDA \$6,400 based on its "highest approved appraisal."

THEREFORE, BE IT RESOLVED, based upon review by the Town Attorney and recommendation to the CDA Board that the proposed taking by the DOT is not likely to encumber redevelopment of the Calverton Enterprise Park due to its size and location within the Pine Barrens Core Area, the CDA hereby authorizes the Chairman to execute the Agreement of Adjustment and any and all documents required for closing of this transaction.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss, Town Attorney Dawn Thomas, and Judy Jacobsen, New York State DOT, State Office Building, 250 Veterans Memorial Highway, Hauppauge, NY 11788-5518.

The Vote:

| | |
|----------------------|------------|
| Member Densieski | <u>yes</u> |
| Member Cardinale | <u>yes</u> |
| Member Kent | <u>yes</u> |
| Member Lull | <u>yes</u> |
| Chairman Kozakiewicz | <u>yes</u> |

12/18/2001

STATUS ²³⁰⁰ Adopted

TOWN OF RIVERHEAD

Resolution # 1254

ESTABLISHES TIME OF REGULAR MEETINGS OF THE TOWN BOARD

COUNCILMAN DENSIESKI

_____ offered the following resolution, which was

seconded by COUNCILMAN LULL.

WHEREAS, that during the year 2002, all regular meetings of the Town Board will be held twice monthly; the first to be held on the first Tuesday of the month at 7:00 p.m. and the second to be held on the third Tuesday of the month at 7:00 p.m. Exceptions include quarterly meetings that will be held in Town Hall at 2:00 p.m. in the months of March, June, September and December, the May 21, 2002 meeting which will be held at the Senior Citizen Human Resource Center in Aquebogue at 7:00 p.m., the July 16, 2002 meeting which will be held in Wading River at 7:00 p.m., January 2, 2002 and February 20, 2002 meetings which will be held in Town Hall at 7:00 p.m. and the August 6, 2002, November 6, 2002 and December 26, 2002 meetings which will be held in Town Hall at 2:00 p.m.; and

NOW, THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached notice in the December 27, 2002 issue of the official newspaper and to post same on the signboard(s) in Town Hall.

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

| MEETING DATE | MEETING TIME |
|---------------------|---------------------|
| January 2, 2002 | 7:00 p.m. |
| January 15, 2002 | 7:00 p.m. |
| February 5, 2002 | 7:00 p.m. |
| February 20, 2002 | 7:00 p.m. |
| March 5, 2002 | 7:00 p.m. |
| March 19, 2002 | 2:00 p.m. |
| April 2, 2002 | 7:00 p.m. |
| April 16, 2002 | 7:00 p.m. |
| May 7, 2002 | 7:00 p.m. |
| May 21, 2002 | 7:00 p.m. |
| June 4, 2002 | 7:00 p.m. |
| June 18, 2002 | 2:00 p.m. |
| July 2, 2002 | 7:00 p.m. |
| July 16, 2002 | 7:00 p.m. |
| August 6, 2002 | 2:00 p.m. |
| August 20, 2002 | 7:00 p.m. |
| September 3, 2002 | 7:00 p.m. |
| September 17, 2002 | 2:00 p.m. |
| October 1, 2002 | 7:00 p.m. |
| October 15, 2002 | 7:00 p.m. |
| November 6, 2002 | 2:00 p.m. |
| November 19, 2002 | 7:00 p.m. |
| December 3, 2002 | 7:00 p.m. |
| December 17, 2002 | 2:00 p.m. |
| December 26, 2002 | 2:00 p.m. |

December 18, 2001

Not Adopted**TOWN OF RIVERHEAD**Resolution # 1255**CONDITIONALLY APPROVES SPECIAL PERMIT PETITION OF
WILLIAM DRIES & ANTHONY SPEECHIO**~~COUNCILMAN LULL~~

offered the following resolution which

was seconded by COUNCILMAN KENT

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from William Dries and Anthony Speechio to allow the construction of two (2) restaurants totaling 528 seats upon real property located at Route 58, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Number 0600-118-5-7, and

WHEREAS, by resolution #389 of 1999, the Riverhead Town Board did determine the action to be Type I with potentially adverse impacts upon the natural and social environment and that a Draft Environmental Impact Statement ("DEIS") be prepared, and

WHEREAS, a scoping hearing was held on March 16, 1999, and

WHEREAS, by resolution #437 of 2001, the Riverhead Town Board did accept as complete a DEIS in support of the petition as prepared by Cramer Consulting Group and dated September, 2000, and

WHEREAS, a public hearing was held upon the DEIS on the 30th day of May, 2001 to hear all interested parties upon the completeness of the DEIS, and

WHEREAS, no public comment was elicited from the hearing, and

WHEREAS, by resolution #711 of 2001, the Riverhead Town Board did determine that the aforementioned DEIS did provide for measures mitigating adverse impacts to the environment and that a Final Environmental Impact Statement need not be prepared, and

WHEREAS, the Town Board did refer the petition to the Riverhead Planning Board for its report and recommendation, such Planning Board recommending the denial of the petition, and

WHEREAS, the petition was referred to the Suffolk County Planning Commission for its report and recommendation; such Commission considering the matter to be one of local determination, and

WHEREAS, a public hearing on the special permit petition was held on the 18th day of September, 2001 in order to hear all interested persons and was closed on the 11th day of November, 2001, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, the report of the Suffolk County Planning Commission, the relevant commentary heard at the public hearing, as well as all other pertinent planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of William Dries and Anthony Speechio, the Riverhead Town Board hereby makes the following findings:

1. That the premises is located within the Industrial A Zoning Use District;
2. That the premises is located within the Town of Riverhead Water District and Sewer District;
3. That the Industrial A Zoning Use District provides for restaurant as a specially permitted use;
4. That with respect to adopted planning and zoning provisions the site is particularly suitable for restaurant use given its proximity to a highly successful destination retail manufacturing outlet center totaling approximately 750,000 square feet;
5. That pedestrian access to the proposed use from Tanger I and Tanger II is expected and that adequate pedestrian access ways have not been provided from the group of stores located east of the Preserve of the Peconic Land Trust;
6. That adequate off-street parking stalls have been provided in at least the number required by the Riverhead Zoning Ordinance;
7. That the use will not tend to generate any environmental contamination where discernible on adjacent properties;
8. That the Town Board must consider the adequacy of access to the special permit use from public streets and that the site plan accompanying the special permit petition does not depict functional access from any public highway;
9. That the DEIS supporting the special permit petition estimated the sanitary sewage flow emanating from the proposed use at 15,840 gallons per day;
10. That the Town Board must consider the adequacy of provisions for the collection of sanitary sewage for specially permitted uses;
11. That in the creation of the Riverhead Commercial Sewer District the sewage flow assigned to the subject real property measured a volume of 6,000 gallons per day (Malcolm Pirnie, 1995), equating to a restaurant use of a maximum of 200 seats;
12. That the Town Board must consider the distance of proposed curb cuts from existing intersections as to avoid traffic congestion and that the site plan accompanying the special permit petition, Martin Sendlewski, dated March 12, 1998 depicted an access roadway less than the required 75 feet from an existing intersection;

- 13. That the traffic impact assessment accompanying the special permit petition provided traffic congestion mitigation in the form of a forecast that a high percentage of trips would originate from within the existing Tanger I and Tanger II Centers, however, the site plan accompanying the petition depicts a parking area of 180 stalls as supported by vehicle trip data assuming exclusive automobile travel and no pedestrian travel, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby approves the special permit application of William Dries and Anthony Speechio subject to the following conditions:

- 1. That the restaurant use upon the subject property not exceed 200 seats, pursuant to the assignment of sewage flow to the property (Malcolm Pirnie, 1995);
- 2. That all proposed curb cuts be located a maximum of 75 feet from an existing intersection;
- 3. That the proposed car park layout take into account expected pedestrian travel to the premises as discussed in the DEIS supporting the petition, and

BE IT FURTHER

RESOLVED, that a copies of this resolution be forwarded to the Town Attorney, Building Department, Planning Department and William Dries and Anthony Speechio or their agent...

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No *Abotain*

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

December 18th, 2001

TOWN OF RIVERHEAD

Resolution # 1256**APPROVES SITE PLAN OF MID ROAD PROPERTIES, LLC**COUNCILMAN DENSIENSKI

offered the following resolution,

which was seconded by COUNCILMAN CARMINLE:

WHEREAS, a site plan and elevations were submitted by Mid Road Properties, LLC, for a Multi-Family Residential Retirement Community consisting of 126 units and clubhouse including outdoor in ground pool and two (2) tennis court facilities, located at northerly side of Middle Road, Riverhead, New York, 11901 known and designated as Suffolk County Tax Map Number 0600-81-1-1.1; and

WHEREAS, the Planning Department has reviewed the site plan dated October 9th, 2001 as prepared by Thomas C. Wolpert, P.E., and elevations dated July 24th, 2001 as prepared by Jerold L. Axelrod, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 29216 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 Mid Road Properties, LLC, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type I Pursuant to 6NYCRR Part 617 and further determines the action is without adverse impact upon either the natural or social environment and that an Environmental Impact Statement need not be prepared..

BE IT FURTHER

filing of this document, Mid Road Properties, LLC hereby authorizes and consents to the Town of Riverhead to enter premises at northerly side of Middle Road, Riverhead, New York, 11901 to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
15. That no land Clearing Permit shall be issued prior to the submission of standard details and planting schedules for depicted ponds to the satisfaction of the Planning Director;
16. That no Use Permit shall be issued for the construction of the proposed clubhouse prior to the submission of a parking area layout to the satisfaction of the Planning Director; be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Mid Road Properties, LLC, c/o Peter Danowski, Esq., 616 Roanoke Avenue, Box 779, Riverhead, New York 11901, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Densieski Yes No - *abstain* Cardinale Yes No
 Kent Yes No *abstain* Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2001, made by Mid Road Properties, LLC, c/o Peter Danowski, Esq. residing at 616 Roanoke Avenue, Box 779, Riverhead, New York 11901, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

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

Mid Road Properties, LLC

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

December 18th, 2001

2311
Adopted

TOWN OF RIVERHEAD

Resolution # 1257

APPROVES AMENDED SITE PLAN OF SUNKEN PONDS

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

WHEREAS, a site plan and elevations were submitted by Sunken Ponds Estates, Inc., for approval for the remaining two phases (Section 2 and 3) including a proposed Clubhouse and outdoor pool/patio area for Section 2, located at north side of Sunken Ponds Estates, Inc., Middle Road, Riverhead, New York 11901, New York, known and designated as Suffolk County Tax Map Number 82-4-209-4; and

WHEREAS, the Planning Department has reviewed the site plan dated December 5th, 2001, 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 000 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 Sunken Ponds Estates, Inc., the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Sunken Ponds Estates, Inc., for approval for the remaining two phases (Section 2 and 3) including a proposed Clubhouse and outdoor pool/patio area for Section 2, located at north side of Sunken Ponds Estates, Inc., Middle Road, Riverhead, New York 11901, New York, site plan dated December 5th, 2001, 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 review and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Sunken Pond Estates, Inc. hereby authorizes and consents to

the Town of Riverhead to enter premises at north side of Sunken Ponds Estates, Inc., Middle Road, Riverhead, New York 11901, New York, to enforce said handicapped parking regulations;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Sunken Ponds Estates, Inc., c/o Charles Cuddy, Esq., attorney for applicant, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

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

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2001, made by Sunken Pond Estates, Inc., residing at 4297 Hempstead Turnpike, Farmingdale, NY 11735, 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, Sunken Pond Estates, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at north side of Sunken Ponds Estates, Inc., Middle Road, Riverhead, New York 11901, 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.

Sunken Pond Estates, Inc.

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

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

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

NOTARY PUBLIC

December 18th, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1258**APPROVES AMENDED SITE PLAN OF KAMCO SUPPLY CORP.**

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

WHEREAS, a site plan and elevations were submitted by Kamco Supply Corp., for renovations to an existing building (roofing, siding, doors and windows), located at West Side of Edwards Avenue, Calverton, New York, known and designated as Suffolk County Tax Map Number 137-1-9 & 10; and

WHEREAS, the Planning Department has reviewed the elevations dated September 7th, 2001, as prepared by Richard Searles, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 34801 of the Office of the Supervisor of the Town of Riverhead; and

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Kamco Supply Corp., the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II Pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Kamco Supply Corp., for renovations to an existing building (roofing, siding, doors and windows), located at

West Side of Edwards Avenue, Calverton, New York 11933, elevations dated September 7th, 2001, as prepared by Richard Searles, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Edwards Avenue, L.I. Realty Corp, 80-21st Street, Brooklyn, New York 11232 hereby authorizes and consents to the Town of Riverhead to enter premises at West Side of Edwards Avenue, Calverton, New York 11933, 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 Richard Searles, RA., 131 Rt. 25A, Rocky Point, New York 11778, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Densieski Yes No Cardinale Yes No
 Kent Yes No Lutz Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2001, made by Edwards Avenue, L.I. Realty Corp, 80-21st Street, Brooklyn, New York 11232, residing at, 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, Edwards Avenue, L.I. Realty Corp, 80-21st Street, Brooklyn, New York 11232 hereby authorizes and consents to the Town of Riverhead to enter premises at West Side of Edwards Avenue, Calverton, new York 11933, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;

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

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

Edwards Avenue, L.I. Realty Corp,
80 21st Street, Brooklyn, New York 11232

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

December 18th, 2001

TOWN OF RIVERHEAD

Adopted

Resolution # 1259

APPROVES AMENDED SITE PLAN OF FIRST PIONEER FARM CREDIT

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by COUNCILMAN LULL:

WHEREAS, a site plan and elevations were submitted by First Pioneer Farm Credit, for placement of a 10' x 12' vestibule and a concrete handicapped ramp onto an existing office building, located at southwest corner of Woodcrest Avenue and Old Country Road, Riverhead, New York 11901, known and designated as Suffolk County Tax Map Number 0600-122-2-4; and

WHEREAS, the Planning Department has reviewed the site plan dated October 1st, 2001, as prepared by James V. DeLucca, R.A., and elevations dated October 1st, 2001, as prepared by James V. DeLucca, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 29208 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 First Pioneer Farm Credit, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II Unlisted pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by First Pioneer Farm Credit, for placement of a 10' x 12' vestibule and a concrete handicapped ramp onto an existing office building, located at southwest corner of Woodcrest Avenue and Old Country Road, Riverhead, New York 11901, site plan dated October 1st, 2001, as prepared by James V. DeLucca, R.A., and elevations dated October 1st, 2001, as prepared by James V. DeLucca, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

filing of this document, First Pioneer FarmCredit hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of Woodcrest Avenue and Old Country Road, Riverhead, New York 11901, 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 James V. DeLuca, R.A., 12 Linda Lane East, Riverhead, New York 11901, the Riverhead Planning Department, Riverhead Building Department, and the
Town
Engineer.

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

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2001, made by First Pioneer Farm Credit, residing at 1281 Rte. 58, Riverhead, New York 11901, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, First Pioneer Farm Credit hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of Woodcrest Avenue and Old Country Road, Riverhead, New York 11901, 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.

First Pioneer FarmCredit

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

12/18/01

Adopted

TOWN OF RIVERHEAD

Resolution # 1260

AMENDS RESOLUTION #1225

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

WHEREAS, Resolution #1225 was adopted December 4, 2001, appointing James Messina to the position of Provisional Water Treatment Plant Operator Trainee effective December 17, 2001, and

WHEREAS, this Resolution should have reflected a condition of employment, in this title, that the employee must possess a clean, valid NYS Commercial Driver's License within six months of date of appointment.

THEREFORE, BE IT RESOLVED, that resolution #1225 is amended to reflect a condition of employment, in this title, that the employee must possess a clean, valid NYS Commercial Driver's License within six months of date of appointment.

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

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

December 18, 2001

TOWN OF RIVERHEAD

Resolution # 1261

AUTHORIZING THE TRANSFER OF COUNTY OWNED PROPERTY TO THE TOWN OF RIVERHEAD

Councilman Kent offered the following resolution, was seconded by Councilman Densieski :

WHEREAS, through tax default the County of Suffolk has acquired several real property parcels in the Town of Riverhead specified on schedule "A"; and

WHEREAS, the Town of Riverhead's intended use of the parcels set forth on schedule "A" is for sterilization of these parcels for open space; and

WHEREAS, this property may be transferred to the Town of Riverhead pursuant to General Municipal Law 72-h.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby authorizes the Supervisor to take all necessary steps to take title to the tax default property specified on schedule "A"; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to County of Suffolk, Department of Planning Division of Real Estate, Wayne R. Thompson, Supervisor, P.O. Box 6100, Hauppauge, New York 11788; Elaine Glenn, Office of the Suffolk County Treasurer, 330 Center Drive, Riverhead, New York 11901; Honorable Michael J. Caracciolo, Legislator, First District, 633 East Main Street, Riverhead, New York, 11901; Town Engineer; Highway Department; Community Development; Assessor's Office; Tax Receiver's Office; the Supervisor's Office and the Town Attorney's Office.

THE VOTE
Densieski Yes No Councilman Yes No
Kent Yes No Yes No
The Clerk Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

SCHEDULE "A"

0600-60-1-5.7

0600-90-1-35

0600-95-2-12

12/18/01

TOWN OF RIVERHEAD

2331
Adopted

RESOLUTION #1262

Order calling public hearing – Northside Road Subdivision Lateral Water Main
Riverhead Water District

ADOPTED _____

~~COUNCILMAN DENSIESKI~~

_____ offered the following resolution which was seconded by

~~COUNCILMAN CATALIFALE~~

WHEREAS, a petition has been filed by the developer of property located at Northside Road, Wading River, New York, requesting the Riverhead Water District to provide water facilities to their proposed development which is located in the existing Water District, and

WHEREAS, a map and plan detailing the proposed construction of the lateral water main dated November, 2001 has been prepared by H2M, consulting engineers to the Riverhead Water District detailing 600 linear feet of six-inch water main, and

WHEREAS, the maximum amount to be expended for the installation of the mains is \$40,000 all to be borne by the applicant, with said lateral to be at no cost to the district, and

WHEREAS, all costs associated with this lateral shall be borne by the petitioner and the petitioner will be required to pay key money in the amount of \$2,500 for each proposed dwelling unit for a total cost of \$17,500. This cost represents the infrastructure costs to the Riverhead Water District to service these additional residences, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on the 2nd day of January, 2002, at 7:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the proposed lateral to the Riverhead Water District, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the December 20, 2001 edition of The News Review, and

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

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

Dated: December 18, 2001
Riverhead, NY

| | | | | | |
|--|---|-----------------------------|-------------|---|-----------------------------|
| THE VOTE | | | | | |
| Densieski | <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 <input checked="" type="checkbox"/> WAS NOT _____ | | | | | |
| THEREUPON DULY ADOPTED | | | | | |

12/18/01

TOWN OF RIVERHEAD

2332
ACCEPTED

RESOLUTION # 1263

Order calling public hearing – Soundview Meadows Subdivision Lateral Water Main
Riverhead Water District

ADOPTED _____

~~COUNCILMAN LULL~~
~~COUNCILMAN CARDINALE~~

_____ offered the following resolution which was seconded by _____

WHEREAS, a petition has been filed by the developer of property known as Soundview Meadows requesting the Riverhead Water District to provide water facilities to their proposed development which is located in the existing Water District, and

WHEREAS, a map and plan detailing the proposed construction of the lateral water main dated December, 2001 has been prepared by H2M, consulting engineers to the Riverhead Water District detailing 6,600 linear feet of water main, and

WHEREAS, the maximum amount to be expended for the installation of the mains is \$289,000 all to be borne by the applicant, with said lateral to be at no cost to the district, and

WHEREAS, all costs associated with this lateral shall be borne by the petitioner and the petitioner will be required to pay key money in the amount of \$2,500 for each proposed dwelling unit for a total cost of \$137,500. This cost represents the infrastructure costs to the Riverhead Water District to service these additional residences, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on the 2nd day of January, 2002, at 7:20 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the proposed lateral to the Riverhead Water District, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the December 20, 2001 edition of The News Review, and

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

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

Dated: December 18, 2001
Riverhead, NY

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

12/18/01

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1264

Order calling public hearing – Extension 56B to the Riverhead
Water District
Sunken Pond Estates – Section 3

ADOPTED _____

COUNCILMAN LULLCOUNCILMAN CAFFREY

offered the following resolution which was seconded by

WHEREAS, a petition has been filed by the developer of property located at Middle Road, Riverhead, New York, requesting the Riverhead Water District to provide water facilities to their proposed development which is located outside the boundaries of the existing Water District, and

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District for an extension to the Riverhead Water District to be known as Extension No. 56B located at Middle Road, Riverhead, New York, consisting of approximately 2,300 linear feet of 6 and 8-inch water mains, valves and appurtenances, and a 15-foot wide water main easement as set forth in the map and plan to be dedicated to the Riverhead Water District, and

WHEREAS, the maximum amount to be expended for the installation of the mains is \$118,000 all to be borne by the applicant, with said extension to be at no cost to the district, and

WHEREAS, by previous approval this Board required key money paid for the total of 192 units for Extension 56. The revised layout for Section 3 does not include any additional units and, therefore, the key money paid for the 192 units in Extension 56 covers the key money for this extension, and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on the 2nd day of January, 2002, at 7:10 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons

with regard to the extension to the Riverhead Water District to be known as Extension 56B, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the December 20, 2001 edition of The News Review, and

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

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

Dated: December 18, 2001
Riverhead, NY

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

EXHIBIT "A"**RIVERHEAD WATER DISTRICT****ENGINEERING REPORT
FOR****PROPOSED EXTENSION NO. 56B
SUNKEN POND ESTATES, SECTION 3****DESCRIPTION OF EXTENSION****NOVEMBER 2001**

All this certain lot, parcel of land, said property being known as Section 64, Block 2, part of Lot 2 situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the westerly right-of-way line of Doctors Path and the southerly right-of-way line of Reeves Avenue.

Traveling westerly along the southerly right-of-way line of Reeves Avenue a distance of approximately 2,870 feet to a point formed by the southerly right-of-way line of Reeves Avenue and the westerly property line of Section 64, Block 2, Lot 7.43.

THENCE running southerly along the westerly property line of Section 64, Block 2, Lot 7.43 a distance of approximately 3,099 feet to a **POINT OF BEGINNING**.

From said **POINT OF BEGINNING**, running southerly along the westerly property line of Section 64, Block 2, Lot 7.43 and the easterly property line of Section 64, Block 2, Lot 2 a distance of approximately 1,367.7 feet to a point formed by the easterly property line of Section 64, Block 2, Lot 2 and the northerly property line of Section 64, Block 2, Lot 7.36.

THENCE running westerly along the northerly property lines of Section 64, Block 2, Lots 7.36, 7.35 and 7.34 a distance of approximately 288.9 feet to a point formed by the north property line and the west property line of Section 64, Block 2, Lot 7.34.

H2M GROUP

THENCE running southerly along the westerly property lines of Section 64, Block 2, Lots 7.34 and 7.33 and the right-of-way line which forms the westerly end of cul-de-sac of Buckskin Lane a distance of approximately 415.7 feet to a point formed by the westerly property line and south property line of Section 64, Block 2, Lot 7.33.

THENCE running westerly along the southerly property line of Section 64, Block 2, Lot 2 a distance of approximately 293.8 feet to a point formed by the north property line of Section 2, Block 2, Lot 7.26 and a easterly property line of Section 82, Block 4, Lot 209.4.

THENCE running northerly along the easterly property line of Section 82, Block 4, Lot 209.4 a distance of approximately 870.7 feet to a point formed by the north property line and the east property line of Section 82, Block 4, Lot 209.4.

THENCE running northeasterly along a line known as a map line dividing "Sunken Pond Estates" and "The Woods at Cherry Creek" a distance of approximately 1,039.1 feet to a point.

THENCE running easterly along the said herein line a distance of approximately 92.3 feet to the said POINT OF BEGINNING.

END OF DESCRIPTION

EXHIBIT "A" - 2

Adopted

12/18/01

TOWN OF RIVERHEAD

RESOLUTION # 1265

Order calling public hearing – Extension 65 to the Riverhead
Water District
The Woods at Cherry Creek

ADOPTED _____

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

WHEREAS, a petition has been filed by the developer of property located at Reeves Avenue, Riverhead, New York, requesting the Riverhead Water District to provide water facilities to their proposed development which is located outside the boundaries of the existing Water District, and

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District for an extension to the Riverhead Water District to be known as Extension No. 65 located at Reeves Avenue, Riverhead, New York, consisting of approximately 1,600 linear feet of 12 inch water mains, valves and appurtenances, and

WHEREAS, the maximum amount to be expended for the installation of the mains is \$50,000 all to be borne by the applicant, with said extension to be at no cost to the district, and

WHEREAS, key money cost of \$35,000 will be assessed to cover the cost of constructing capital improvement facilities, and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on the 2nd day of January, 2002, at 7:30 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the extension to the Riverhead Water District to be known as Extension 65, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the December 20, 2001 edition of The News Review, and

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

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

Dated: December 18, 2001
Riverhead, NY

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

EXHIBIT "A"
RIVERHEAD WATER DISTRICT
ENGINEERING REPORT
FOR
PROPOSED EXTENSION NO. 65
THE WOODS AT CHERRY CREEK
DESCRIPTION OF EXTENSION

NOVEMBER 2001

PARCELA

All this certain lot, parcel of land, said property being known as Section 64, Block 2, part of Lot 2 situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the westerly right-of-way line of Doctors Path and the southerly right-of-way line of Reeves Avenue.

Traveling westerly along the southerly right-of-way line of Reeves Avenue a distance of approximately 2,870 feet to a POINT OF BEGINNING.

From said POINT OF BEGINNING, running southerly along the easterly property line of Section 64, Block 2, Lot 2 a distance of approximately 3,099 feet to a point formed by the easterly property line of Section 64, Block 2, Lot 2 and the southerly property line The Woods at Cherry Creek.

THENCE running westerly and southerly along the southerly property line of The Woods at Cherry Creek the following two (2) bearings and distances:

1. South 58° - 06' - 35" West; approximately 92.4 feet,

2. South 05° - 40'-09" East; 1,039.29 feet,

to a point known as the northeasterly property corner of Section 82, Block 4, Lot 209.4.

THENCE running westerly along the northerly property line of Section 82, Block 4, Lots 209.4 and 221.5 the following bearing and distance:

- South 44° - 43'-40" West; 1,052.70 feet,

to a point known as the northwesterly property corner of Section 82, Block 4, Lot 221.5.

THENCE running northerly along the westerly property line of Section 64, Block 2, Lot 2 the following two (2) bearings and distances:

1. North 32° - 32'-20" West; 217.10 feet,
2. North 32° - 47'-50" West; 2,065.82 feet,

to a point known as the southeasterly corner of Section 64, Block 2, Lot 2.

THENCE running easterly and southerly along the northerly property line of Section 64, Block 2, Lot 2 the following three (3) bearings and distances:

1. North 54° - 33'-40" East; 346.20 feet,
2. South 32° - 39'-20" East; 179.04 feet,
3. North 57° - 14'-40" East; 1,203.02 feet,

to a point known as the southeasterly corner of Section 64, Block 2, Lot 1.1.

THENCE running northerly along the easterly property lines of Section 64, Block 2, Lot 1.1 and Section 43, Block 3, Lot 1 the following three (3) bearings, courses and distances:

1. North 32° - 45'-20" West; 2,001.83 feet,
2. North 43° - 11'-10" West; 134.08 feet,
3. An arc curving to the left having a radius of 48.05 feet and an arc length of 46.10 feet,

to a point formed by the easterly property line of Section 43, Block 3, Lot 1 and the southerly right-of-way line of Reeves Avenue.

THENCE running easterly along the southerly right-of-way line of Reeves Avenue the following bearing and distance:

North 81° - 50'-15" East; approximately 900.0 feet,

to the said POINT OF BEGINNING.

**END OF DESCRIPTION
FOR
PARCEL A**

PARCEL B

All this certain lot, parcel of land, said property being known as Section 18, Block 2, Lot 1.3 situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the westerly right-of-way line of Doctors Path and the southerly right-of-way line of Sound Avenue.

Traveling westerly along the southerly right-of-way line of Sound Avenue a distance of approximately 1,631 feet to a point formed by the southerly right-of-way line of Sound Avenue and the easterly property line on Section 18, Block 2, Lot 1.3.

THENCE running southerly along the easterly property line of Section 18, Block 2, Lot 1.3 to a POINT OF BEGINNING.

Said POINT OF BEGINNING described herein being a point formed by the easterly property line of Section 18, Block 2, Lot 1.3 and a line running parallel to the southerly right-of-way line of Sound Avenue. The said herein line being a parallel distance of 500 feet from the southerly right-of-way line of Sound Avenue.

From said POINT OF BEGINNING, running southerly along the easterly property line of Section 18, Block 2, Lot 1.3 a distance of approximately 3,767.1 feet to a point formed by the southeasterly property corner of Section 18, Block 2, Lot 1.3 and the northerly right-of-way line of Reeves Avenue.

THENCE running southerly, perpendicular to the northerly right-of-way line of Reeves Avenue a distance of approximately 56.2 feet to a point.

THENCE running westerly along the southerly right-of-way line of Reeves Avenue a distance of approximately 1,884.8 feet to a point.

THENCE running northerly, perpendicular to the southerly right-of-way line of Reeves Avenue a distance of approximately 51.3 feet to a point formed by the northerly right-of-way line of Reeves Avenue and the southwesterly property corner of Section 18, Block 2, Lot 1.3.

THENCE running northerly along the westerly property line of Section 18, Block 2, Lot 1.3 a distance of approximately 4,194.7 feet to a point formed by the westerly property line of Section 18, Block 2, Lot 1.3 and a line running parallel to the southerly right-of-way line of Sound Avenue. The said herein line being a parallel distance of 500 feet from the southerly right-of-way line of Sound Avenue.

THENCE running easterly along the aforementioned parallel line for a distance of approximately 1,864.6 feet to the said POINT OF BEGINNING.

END OF DESCRIPTION

FOR

PARCEL B

Adopted

12/18/01

TOWN OF RIVERHEAD

Resolution #1266

AUTHORIZING THE SETTLEMENT OF TOWN OF RIVERHEAD v.
TOWN OF SOUTHAMPTON, SUFFOLK COUNTY SUPREME COURT
INDEX NO. 99-26893

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

WHEREAS, the Town has commenced litigation against the Town of Southampton to enforce the provisions of the 1982 agreement between the towns to construct and operate the Joint Scavenger Waste Facility;

WHEREAS, the Town of Southampton has agreed to settle his claim as set forth in the stipulation of settlement attached hereto; and

WHEREAS, the settlement is determined to be fair and reasonable under the circumstances; and

WHEREAS, in light of the costs attendant to proceeding to trial with the attendant uncertainties of litigation it is in the best interests of the Town of Riverhead to accept the settlement proposal;

NOW BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the terms of the Stipulation of Settlement; and it is further

RESOLVED that Supervisor and special counsel, Frank A. Isler, are hereby authorized to sign the Stipulation of Settlement on behalf of the Town as well as any other documents necessary to effectuate the settlement of the litigation; and it is further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP.; the Town Attorney; John J. Hansen, Financial Administrator; and Michael Reichel, Superintendent.

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

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

-----X
TOWN BOARD, TOWN OF RIVERHEAD,
ON BEHALF OF THE TOWN OF RIVERHEAD
SCAVENGER WASTE IMPROVEMENT NO. 1
IN THE TOWN OF RIVERHEAD,
SUFFOLK COUNTY, NEW YORK,

Plaintiff,

- against -

TOWN OF SOUTHAMPTON,
SUFFOLK COUNTY, NEW YORK,

Defendant.
-----X

STIPULATION OF
SETTLEMENT
Index No: 99-26893
Hall, J

IT IS HEREBY STIPULATED AND AGREED by and between the attorneys for the respective parties hereto, as well as the respective parties hereto, that the above-entitled action is settled, that the respective causes of action contained in the complaint are withdrawn, and that the action is dismissed with prejudice.

IT IS FURTHER STIPULATED AND AGREED that the Defendant, Town of Southampton, will pay to the Plaintiff, Town of Riverhead, the sum of Fifty Thousand (\$50,000) Dollars in full settlement of any and all claims, and such payment shall be made as soon as practicable, but in no event later than thirty (30) days after this Stipulation is fully executed by both parties; and

IT IS FURTHER STIPULATED AND AGREED that, as of the date this Stipulation is fully executed by both parties, the scavenger waste agreement attached hereto as Exhibit A, entered into by Plaintiff and Defendant on March 16, 1982, for the purpose of constructing and operating a scavenger waste facility jointly available to the residents of Riverhead and

Southampton Towns, is hereby annulled and no longer effective; and

IT IS FURTHER STIPULATED AND AGREED that the Town of Riverhead hereby releases and discharges the Town of Southampton, and any of its agents, servants, employees, representatives, and any and all other persons acting on Southampton's behalf, or at its authorization, from all actions, suits, debts, bonds, covenants, controversies, agreements, promises, variances, trespasses, damages, judgments, claims and demands whatsoever, in law or equity, which the Town of Riverhead ever had, now has or hereafter shall or may have against the Town of Southampton in connection with the scavenger waste agreement dated March 16, 1982; and

IT IS FURTHER STIPULATED AND AGREED that the Town of Southampton hereby releases and discharges the Town of Riverhead, and any of its agents, servants, employees, representatives, and any and all other persons acting on Riverhead's behalf, or at its authorization, from all actions, suits, debts, bonds, covenants, controversies, agreements, promises, variances, trespasses, damages, judgments, claims and demands whatsoever, in law or equity, which the Town of Southampton ever had, now has or hereafter shall or may have against the Town of Riverhead in connection with the scavenger waste agreement dated March 16, 1982; and

IT IS FURTHER STIPULATED AND AGREED that, beginning on the date this Stipulation is fully executed by both parties, and continuing as long as the scavenger waste facility shall remain in operation, the Town of Riverhead shall give equal treatment and priority to scavenger waste originating from Riverhead and Southampton Towns or hauled by companies based in Riverhead or Southampton Towns, meaning for example that Riverhead shall not discriminate against Southampton waste and haulers on the basis of fees, and if the scavenger

waste facility is at or near its maximum capacity then non-Riverhead and non-Southampton waste and haulers must be turned away first; and

IT IS FURTHER STIPULATED AND AGREED that all of this is to be without costs or disbursements as against one or the other; and

IT IS FURTHER STIPULATED AND AGREED that the parties shall present this Stipulation to be so-ordered by the Court, shall have this Stipulation entered, and shall take any other procedural steps as are necessary to effectuate the letter and intent of this Stipulation.

Dated: December _____, 2001.

FOR THE TOWN OF SOUTHAMPTON:

Supervisor Vincent Cannuscio

Christopher J. McKenzie, Esq.
Beveridge & Diamond, P.C.
477 Madison Avenue
15th Floor
New York, New York 10022
(212) 702-5400
*Attorneys for Defendant
Town of Southampton*

FOR THE TOWN OF RIVERHEAD:

Supervisor Robert F. Kozakiewicz

Frank A. Isler, Esq.
Smith, Finkelstein, Lundberg, Isler &
Yakaboski, LLP
456 Griffing Avenue,
Corner of Lincoln Street
P. O. Box 389
Riverhead, NY 11901-0203
Attorneys for Plaintiff
Town of Riverhead

SO ORDERED:

J.S.C.
Suffolk County

TOWN OF RIVERHEAD

Resolution # 1267

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT
BETWEEN THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT
MANAGEMENT ASSOCIATION AND THE TOWN OF RIVERHEAD**

~~COUNCILMAN LULL~~

offered the following resolution, was seconded by

~~COUNCILMAN DENSIESKI~~

WHEREAS, the Riverhead Business Improvement District Management Association (RDMA) provided administrative services to the Town of Riverhead Business Improvement District (BID) during 2001 in accordance with the District Plan adopted as Local Law #2 of 1991, and

WHEREAS, the RDMA also provided staffing for the Town of Riverhead Information Booth located near Peconic Avenue, Riverhead in 2001, and

WHEREAS, the Town Board wishes to have the RDMA provided administrative services to the BID and staffing to the Information Booth in 2002,

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an agreement between the Riverhead Business Improvement District Management Association (RDMA) and the Town of Riverhead, which agreement requires the RDMA to provide administrative services to the Town in accordance with the District Plan for the Business Improvement District adopted in Local Law #2 of 1991; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the RDMA and the BID attn: Vicki Staciwo, 112 West Main Street, Riverhead, NY 11901, The Office of the Supervisor, the Office of the Town Attorney and Jack Hansen, Financial Administrator.

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

12/19/00

Adopted

TOWN OF RIVERHEAD

Resolution # 1268

AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH
NEW YORK STATE ARMORY

COUNCILMAN KILL

offered the following resolution,

which was seconded by COUNCILMAN KENT

WHEREAS, that the Riverhead Recreation Department utilizes the New York State Armory's drill hall, first floor class room, and bathrooms for various programs that the Riverhead Recreation Department offers to Town of Riverhead residents,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute a Lease Agreement between the New York State Armory and the Riverhead Recreation Department for the use of the New York State Armory Building's drill hall, first floor class room, and bathrooms, located at 1405 Old Country Road, Riverhead, NY for the period of (1) year commencing on January 3, 2001 and ending on December 21, 2002, at the annual sum of \$14,452.50.

BE IT FURTHER, RESOLVED, that the Town Clerk is hereby directed to forwards a certified copy of this resolution to the New York State Armory, 1405 Old Country Road, Riverhead, New York, 11901; to the Recreation Department; Accounting Department and the Town Attorney's office.

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

Adopted

12/18/01

TOWN OF RIVERHEAD

Resolution # 1269

AUTHORIZES THE SUPERVISOR TO EXECUTE AGREEMENT BETWEEN TOWN OF RIVERHEAD AND RIVERHEAD TOWN EMPLOYEE

COUNCILMAN DENSIESKI

offered the following resolution, was seconded by

COUNCILMAN LULL

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized execute an Agreement between the Town of Riverhead and a Riverhead Town employee; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Police Chief Joseph Grattan; the Office of the Town Attorney and the Accounting Department.

THE VOTE

Densieski Yes No Cardinalo Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

December 18, 2001

Adopted 1

TOWN OF RIVERHEAD

1270

AUTHORIZES STIPULATION OF SETTLEMENT

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

BE IT RESOLVED, that the Town Board ratifies the Agreement dated December 18, 2001 with reference to salary contract of Town employee.

THE VOTE

- Cardinale Yes No
- Densieski Yes No
- Kent Yes No
- Lull Yes No
- Mr* Kozakiewicz Yes No

Tabled

December 18, 2001

TOWN OF RIVERHEAD

Resolution #1271

PLEASE PAGE 2353a for adoption.

DIRECTS THE SUPERVISOR TO TAKE SPECIFIED ACTION REGARDING
CABLEVISION FRANCHISE AGREEMENT

Councilman Cardinale offered the following resolution which was seconded by Councilman Kent.

WHEREAS, Cablevision has breached and continues to breach the current franchise agreement with the Town of Riverhead in numerous ways including but not limited to: 1) refusing to place in operation a PEG channel to which the Town is entitled, 2) refusing to honor senior citizen discount provisions, and 3) refusing to produce required financial accountings and payments.

WHEREAS, Federal Law requires that Cablevision establish franchise procedures and standards encouraging the growth and development of its cable access system and assuring that the cable access system is "responsive to the needs and interests of the local community" and Cablevision has repeatedly failed to meet this requirement by its acts of commission and omission.

WHEREAS, ample notice of breach of contract has been given to Cablevision by Town Board Resolution #1084 and by other communication from the Town and no substantial good faith response has been received from Cablevision.

RESOLVED, that the Town Board directs the Supervisor to retain counsel and commence litigation against Cablevision to establish Cablevision's breach of the existing franchise agreement.

RESOLVED, that the Town Board directs the Supervisor to retain counsel and commence, with the guidance of the Public Service Commission, the legal process for disenfranchising Cablevision in the Town of Riverhead.

RESOLVED, that the Town Clerk is authorized and directed to forward a copy of this Resolution to Cablevision, 1600 Motor Parkway, Hauppauge, NY 11788-9006, to the attention of Charles Dolan, Charles Forma, Esq., Joan Bocchieri Gilroy, and the Supervisors of the Towns of Riverhead, Southold and Shelter Island, and Liebowitz & Liebowitz, current counsel to Riverhead Town.

Councilman Densieski offered to table the resolution, which was seconded by Councilman Lull.

Densieski-yes
Cardinale-no
Kent-no
Lull-yes
Kozakiewicz-yes

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

The resolution was duly **TABLED**.

Adopted

December 27, 2001

TOWN OF RIVERHEAD

Resolution # 1271DIRECTS THE SUPERVISOR TO TAKE SPECIFIED ACTION REGARDING
CABLEVISION FRANCHISE AGREEMENT

Councilman Cardinale offered the following resolution which was seconded by Councilman Kent.

WHEREAS, Cablevision has breached and continues to breach the current franchise agreement with the Town of Riverhead in numerous ways including but not limited to: 1) refusing to place in operation a PEG channel to which the Town is entitled, 2) refusing to honor senior citizen discount provisions, and 3) refusing to produce required financial accountings and payments.

WHEREAS, Federal Law requires that Cablevision establish franchise procedures and standards encouraging the growth and development of its cable access system and assuring that the cable access system is "responsive to the needs and interests of the local community" and Cablevision has repeatedly failed to meet this requirement by its acts of commission and omission.

WHEREAS, ample notice of breach of contract has been given to Cablevision by Town Board Resolution #1084 and by other communication from the Town and no substantial good faith response has been received from Cablevision.

RESOLVED, that the Town Board directs the Supervisor to retain counsel and commence litigation against Cablevision to establish Cablevision's breach of the existing franchise agreement unless within the next 90 days all breaches of the current franchise agreement are corrected and reasonable compensation for past breaches is received.

RESOLVED, that the Town Board directs the Supervisor to retain counsel and commence, with the guidance of the Public Service Commission, the legal process for disenfranchising Cablevision in the Town of Riverhead unless within the next 90 days all breaches of the current franchise agreement are corrected and reasonable compensation for past breaches is received.

RESOLVED, that the Town Clerk is authorized and directed to forward a copy of this Resolution to Cablevision, 1600 Motor Parkway, Hauppauge, NY 11788-9006, to the attention of Charles Dolan, Charles Forma, Esq., Joan Bocchieri Gilroy, and the Supervisors of the Towns of Riverhead, Southold and Shelter Island, and Liebowitz & Liebowitz, current counsel to Riverhead Town.

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

COUNCILMAN CARDINALR OFFERED THE RESOLUTION FOR ADOPTION, WHICH WAS SECONDED BY COUNCILMAN KENY. ALL MEMBERS IN FAVOR OF ADOPTING THE RESOLUTION.

December 18, 2001

Not Adopted

TOWN OF RIVERHEAD

Resolution # 1272

DIRECTS THE SUPERVISOR TO TAKE SPECIFIED ACTION REGARDING
SUFFOLK THEATRE

Councilman Cardinale offered the following resolution which was seconded by Councilman Kent.

WHEREAS, the Town of Riverhead purchased for \$400,000 the Suffolk Theatre in 1994.

WHEREAS, the Town of Riverhead has invested an additional approximately \$800,000 into the Suffolk Theatre.

WHEREAS, the Suffolk Theatre has, for nearly a decade, stood vacant, unused and removed from the tax rolls of the Town of Riverhead.

WHEREAS, by referendum vote of July 31, 2001 the voters, by a margin of three to one, resoundingly rejected a proposed four million (\$4,000,000) dollar Suffolk Theatre restoration bond.

WHEREAS, the Suffolk Theatre today continues to stand vacant, unused, removed from the tax rolls, and in visibly deteriorating condition.

RESOLVED, that the Town Board directs the Supervisor to immediately commence arrangements for the absolute auction of the Suffolk Theatre property by a licensed reputable real estate auctioneer, such auction to be completed and the property sold not later than May 30, 2002.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREUPON DULY ADOPTED

Adopted

DECEMBER 18, 2001

TOWN OF RIVERHEAD

Resolution # 1273

AUTHORIZES ATTENDANCE AT THE GOVERNMENT FINANCE OFFICERS' ASSOCIATION NATIONAL TRAINING SEMINAR

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

BE IT, RESOLVED, that the Town Board hereby authorizes the attendance of the Financial Administrator at the Government Finance Officers' Association National Training Seminar to be held in Cambridge, MA on February 11-15, 2002; and

NOW, BE IT FURTHER, RESOLVED, that the Financial Administrator is authorized to attend this seminar at a cost not to exceed \$2,200. including tuition, hotel and meals to be fully accounted for upon return; and

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

THE VOTE

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

12/18/01

TOWN OF RIVERHEAD

Resolution #1274

APPOINTS MARRIAGE OFFICER

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN LULL

RESOLVED, that the Town Board of the Town of Riverhead hereby appoints Town Clerk Barbara Grattan as a marriage officer for the Town of Riverhead effective January 1, 2002 through December 31, 2003.

THEREFORE BE IT RESOLVED, that the Town Clerk Barbara Grattan shall serve in said position without compensation.

THE VOTE

Densieski Yes ___ No ___ Cardinalo Yes ___ No ___

Kent Yes ___ No ___ Lull Yes ___ No ___

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED

DECEMBER 18, 2001

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 1275

COUNCILMAN DENSIESKI

offered the following resolution ,

which was seconded by

COUNCILMAN KENT

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

| | | | | |
|-------------------|-------------------------------------|-------|-----------|-----------|
| 001.000000.390599 | APPROPRIATED FUND BALANCE | FROM: | \$15,000. | |
| | | | | TO: |
| 001.010100.543301 | TOWN BOARD, LITIGATION APPRAISALS | | | \$15,000. |
| 001.000000.390599 | APPROPRIATED FUND BALANCE | FROM: | \$1,000. | |
| | | | | TO: |
| 001.011100.542110 | TOWN JUSTICE, MISC. SUPPLIES | | | \$1,000. |
| 001.013100.541409 | FINANCE, MAINT. CONTRACT | FROM: | \$6,000. | |
| | | | | TO: |
| 001.013100.549000 | FINANCE, MISC. EXPENSES | | | \$3,000. |
| 001.013100.524000 | FINANCE, MISC. EQUIPMENT | | | 3,000. |
| 001.014100.543405 | TOWN CLERK, TRAVEL EXPENSE | FROM: | \$100. | |
| 001.000000.390599 | APPROPRIATED FUND BALANCE | | 300. | |
| | | | | TO: |
| 001.014100.549000 | TOWN CLERK, MISC. EXPENSE | | | \$400. |
| 001.014400.511500 | TOWN ENGINEER, PERS. SERVICES | FROM: | \$600. | |
| | | | | TO: |
| 001.014400.512500 | TOWN ENGINEER, OVERTIME | | | \$100. |
| 001.014400.542100 | TOWN ENGINEER, MISC. OFFICE EXPENSE | | | 300. |
| 001.014400.541500 | TOWN ENGINEER, VEHICEL MAINTENANCE | | | 200. |

DECEMBER 18, 2001
 GENERAL FUND
 BUDGET ADJUSTMENT RESOLUTION CONTINUED:

| | | | |
|-------------------|---|--------------------|------------------|
| 001.016230.546000 | POLICE COURT COMPLEX, LIGHTS & HEAT | FROM: \$3,000. | |
| 001.016230.542500 | POLICE COURT COMPLEX, SUPPLIES & SERVICES | | TO: \$3,000. |
| 001.000000.390599 | APPROPRIATED FUND BALANCE | FROM: \$17,000. | |
| 001.016250.541150 | B & G, REPAIRS & MAINTENANCE | | TO: \$17,000. |
| 001.000000.390599 | APPROPRIATED FUND BALANCE | FROM: \$14,300. | |
| 001.031200.513500 | POLICE, LONG NON-UNIFORM | | TO: \$1,400. |
| 001.031200.515501 | POLICE, HOLDING CELL ATTENDENT | | 1,500. |
| 001.031200.524380 | POLICE, MISC. OFFICE EQUIPMENT | | 2,500. |
| 001.031200.524906 | POLICE, MISC. TRAINING EQUIPMENT | | 200. |
| 001.031200.541426 | POLICE, COPY MACHINE MAINTENANCE | | 500. |
| 001.031200.542318 | POLICE, K-9 EXPENSE | | 5,650. |
| 001.031200.542404 | POLICE, UNIFORM CLEANING EXPENSE | | 1,750. |
| 001.031200.549000 | POLICE, MISC. EXPENSE | | 800. |
| 001.031220.541406 | BAY CONSTABLE, PECONIC RIVER BUOY MAINT. | FROM: \$1,500. | |
| 001.031220.541530 | BAY CONSTABLE, AUTO REPAIR EXPENSE | | TO: \$1,300. |
| 001.031220.542400 | BAY CONSTABLE, UNIFORMS | | 200. |
| 001.000000.390599 | APPROPRIATED FUND BALANCE | FROM: \$1,175. | |
| 001.031250.541500 | J.A.B., CAR MAINTENANCE | | TO: \$1,000. |
| 001.031250.549000 | J.A.B., MISC. EXPENSE | | 175. |
| 001.031255.542100 | YOUTH COURT, SUPPLIES | FROM: \$750. | |
| 001.031255.511500 | YOUTH COURT, PERS. SERVICES | | TO: \$750. |

DECEMBER 18, 2001
GENERAL FUND BUDGET RESOLUTION CONTINUED:

FROM:

001.036200.542400 SAFETY INSPECTION, UNIFORMS \$500.

001.036200.541500 SAFETY INSPECTION, CAR EXPENSE
001.036200.542404 SAFETY INSPECTION, CLEANING ALLOW

TO:
\$300.
200.

FROM:

001.000000.390599 APPROPRIATED FUND BALANCE \$7,550.

001.067720.541500 PROG. FOR AGING, BUS OPERATOR EXPENSE
001.067720.543405 PROG. FOR AGING, TRAVEL EXPENSE
001.067720.541530 PROG. FOR AGING, AUTO REPAIR
001.067720.542000 PROG. FOR AGING, SUPPLIES
001.067720.541150 PROG. FOR AGING, BLDG MAINTENANCE

TO:
\$2,500.
1,200.
3,500.
100.
250.

FROM:

001.070200.512500 REC ADMIN, OVERTIME \$100.

001.070200.542104 REC. ADMIN., SUPPLIES

TO:
\$100.

FROM:

001.075200.540000 HISTORICAL PROPERTY, CONTRACTUAL EXP. \$10.

001.075100.540000 TOWN HISTORIAN

TO:
\$10.

FROM:

001.071100.541000 PARKS, REPAIRS & MAINTENANCE \$100.

001.071100.540000 PARKS, UTILITY EXPENSE

TO:
\$100.

DECEMBER 18, 2001
GENERAL FUND BUDGET RESOLUTION CONTINUED:

FROM:

001.080200.543310 PLANNING, LEGAL EXPENSE \$800.

TO:
\$800.

001.080200.512100 PLANNING DEPT., OFFICE & TRAVEL

FROM:

001.014200.542614 TOWN ATTORNEY, F.O.I.L. EXPENSE \$300.

TO:
\$300.

001.014200.524350 TOWN ATTORNEY, BOOKS

FROM:

001.035100.542251 CONTROL OF DOGS, DOG FOOD \$300.

TO:
\$200.
50.
50.

001.035100.512100 CONTROL OF DOGS, OVERTIME
001.035100.541150 CONTROL OF DOGS, BLDG REPAIRS
001.035100.546400 CONTROL OF DOGS, WATER EXPENSE

FROM:

001.050100.542100 TRANSPORTATION ADMIN., OFFICE EXPENSE \$800.

TO:
\$100.
700.

001.050100.524000 TRANSPORTATION ADMIN., OFFICE EQUIP.
001.050100.546100 TRANSPORTATION ADMIN., TELEPHONE EXP.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

12/18/01

Adopted

Town of Riverhead

Resolution # 1276

Polish Town Beautification Project Budget Adoption

~~COUNCILMAN LULL~~

_____ offered the following resolution, which was

seconded by _____

~~COUNCILMAN LULL~~
COUNCILMAN DENSIESKI

WHEREAS, the Town of Riverhead has initiated a program administered by the Town Engineer and funded by the Community Development Department providing decorative shutters to homes in the Polish Town area and has completed nine homes; and

WHEREAS, the Town has identified additional homes for beautification improvements.

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes the following Budget Adoption:

From: 181.086680.540000.06995 - \$5,000

To: 406.085100.542500.40085 - \$5,000

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

DECEMBER 18, 2001

2362

TOWN OF RIVERHEAD

Resolution # 1277

SEWER DISTRICT

BUDGET ADJUSTMENT

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

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

Table with columns for FROM: and TO: amounts, and rows for budget items: PLANT IMPROVEMENT (\$250), OVERTIME (\$250), STATION FUELS (\$500), WATER EXPENSE (\$500), MISC. EXPENSE (\$200), and PLANT SUPPLIES (\$200).

THE VOTE

Voting record for Councilmembers: Cardinale (Yes), Densieski (Yes), Kent (Yes), Lull (Yes), Kozakiewicz (Yes).

DECEMBER 18, 2001

2363

ADD

TOWN OF RIVERHEAD

Resolution # 1278

WATER DISTRICT

BUDGET ADJUSTMENTS

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

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

| | | | |
|--------------------|---------------------------------|-------|-------|
| 112.083200.541100. | SOURCE OF SUPPLY, REPAIRS | FROM: | \$75. |
| 112.083200.549000 | SOURCE OF SUPPLY, MISC. EXPENSE | TO: | \$75. |

THE VOTE

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

DECEMBER 18, 2001

2364

TOWN OF RIVERHEAD

Resolution # 1279

JOINT SCAVENGER WASTE DISTRICT

BUDGET ADJUSTMENT

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

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

FROM:

918.081890.541150 GENERAL BLDG. MAINTENANCE EXPENSE \$100.

TO:

918.0818890.542100 OFFICE SUPPLIES \$100.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

Tabled

TOWN OF RIVERHEAD

Resolution # 1280

COMMUNITY DEVELOPMENT AGENCY - CALVERTON

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:

| | | | |
|-------------------|---------------------------------------|-------|---------------|
| 914.012660.464100 | SALE OF RENTAL PROPERTY | FROM: | \$12,716,000. |
| 914.069800.543915 | R.E. COMMISSION EXPENSE | TO: | \$1,116,000. |
| 914.069800.595384 | TRANSFER TO GENERAL FUND DEBT SERVICE | | 11,600,000. |

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

Councilman Densieski offered to table the resolution, which was seconded by Councilman Kent.

Densieski-yes

Cardinale- yes

Kent-yes

Lull- no

Kozakiewicz-no

The resolution was duly **TABLED**.

DECEMBER 18, 2001

TOWN OF RIVERHEAD

GENERAL TOWN DEBT SERVICE
BUDGET ADJUSTMENT

RESOLUTION # 1281

COUNCILMAN DENSIESKI

offered the following resolution ,

which was seconded by COUNCILMAN KENT

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

| | | |
|---------------------------|-----------------------------------|--------------|
| | | FROM: |
| 384.097100.570000.04100 | EMPIRE STATE BULKHEAD INTEREST | \$194. |
| 384.000000.390599. | APPROPRIATED FUND BALANCE | 4,826. |
| | | TO: |
| 384.097100.560000.04100 | EMPIRE STATE BULKHEAD PRINC. | \$194. |
| 384.097100.571000.04047 | BONDING FEES | 2,475. |
| 384.097100.570000.04045 | 414 E. MAIN ST INTEREST | 1. |
| 384.097300.571000.04077 | MAYO SETTLEMENT BONDING FEES | 950. |
| 384.097300.571000.04078 | Y2K DRAINAGE BONDING FEES | 650. |
| 384.097300.571000.04088 | Y2K IRON PIER BONDING FEES | 1,250. |
| 384.097300.571000.04089 , | HUMAN SERVICES BONDING FEES | 1,025. |
| 384.097300.571000.04092 | RR ST. URBAN RENEWAL BONDING FEES | 950. |

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

DECEMBER 18, 2001

Adopted

TOWN OF RIVERHEAD

WATER DEBT SERVICE
BUDGET ADJUSTMENT

RESOLUTION # 1282

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:

383.000000.390599 APPROPRIATED FUND BALANCE **FROM:** \$2,250.

| | | |
|-------------------------|---------------------------|-------------------|
| 383.097300.571000.03041 | BONDING FEES PLANT #11 | TO: \$650. |
| 383.097300.571000.03046 | BONDING FEES INC. & IMPR. | 725. |
| 383.097300.571000.03047 | BONDING FEES EXT. #47 | 875. |

THE VOTE

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

DECEMBER 18, 2001

2368

TOWN OF RIVERHEAD

RISK RETENTION FUND

BUDGET ADJUSTMENT

RESOLUTION # 1283

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by

COUNCILMAN KENT

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

| | | | |
|-------------------|--------------------------------|-------|-----------|
| 175.092801.481000 | GENERAL FUND TRANSFER | FROM: | \$28,000. |
| 175.017100.548210 | GENERAL FUND ADMINISTRATION | TO: | \$28,000. |
| 175.092801.484000 | HIGHWAY TRANSFERS | FROM: | \$7,500. |
| 175.017100.548220 | HIGHWAY ADMINISTRATION | TO: | \$7,500. |
| 175.092801.482100 | RIVERHEAD SEWER TRANSFER | FROM: | \$500. |
| 175.017100.548240 | RIVERHEAD SEWER ADMINISTRATION | TO: | \$500. |

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

DECEMBER 18, 2001

TOWN OF RIVERHEAD

Resolution # 1284

CALVERTON 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:

124.081300.524000

PLANT EQUIPMENT

FROM:

\$3,500.

124.081300.546203

UTILITY EXPENSE

TO:

\$3,500.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

DECEMBER 18, 2001

2370

TOWN OF RIVERHEAD

AMBULANCE FUND
BUDGET ADJUSTMENT

RESOLUTION # 1285

COUNCILMAN LULL offered the following resolution ,,

which was seconded by COUNCILMAN DENSIESKI

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

120.000000.390599 APPROPRIATED FUND BALANCE **FROM:**
\$5,000.

120.045400.541500 MOTOR VEHICLE MAINTENANCE **TO:**
\$5,000.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

DECEMBER 18, 2001

2371

TOWN OF RIVERHEAD

BUSINESS IMPROVEMENT DISTRICT
BUDGET ADJUSTMENT

RESOLUTION # 1286

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

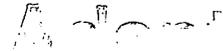
BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

118.064100.543000 LEGAL EXPENSE FROM:
\$100.

118.064100.543000 SUPPLIES TO:
\$100.

THE VOTE

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



TOWN OF RIVERHEAD

Resolution # 1287

RECREATION PROGRAM FUND

BUDGET ADJUSTMENT

COUNCILMAN DENCIESKI

offered the following resolution ,

which was seconded by

COUNCILMAN

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

| | | |
|-------------------|----------------------------|--------------|
| | | FROM: |
| 006.073100.520000 | EQUIPMENT | \$700. |
| | | TO: |
| 006.073105.543601 | PLAYGROUND PROGRAM EXPENSE | \$100. |
| 006.073105.518600 | SEASONAL EMPLOYEES | 600. |
| | | FROM: |
| 006.073100.582500 | SOCIAL SECURITY EXPENSE | \$5,000. |
| 006.076201.582500 | SOCIAL SECURITY EXPENSE | 400. |
| 006.076203.582500 | SOCIAL SECURITY EXPENSE | 250. |
| 006.076204.582500 | SOCIAL SECURITY EXPENSE | 600. |
| 006.076230.582500 | SOCIAL SECURITY EXPENSE | 600. |
| 006.076250.582500 | SOCIAL SECURITY EXPENSE | 500. |
| 006.076260.582500 | SOCIAL SECURITY EXPENSE | 1,000. |
| | | TO: |
| 006.090300.582500 | SOCIAL SECURITY EXPENSE | \$8,350. |

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

DECEMBER 18, 2001

TOWN OF RIVERHEAD

ANIMAL SHELTER DONATION FUND

BUDGET ADJUSTMENT

RESOLUTION # 1288

COUNCILMAN LULI

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:

028.035100.524000 EQUIPMENT FROM:
\$2,000.

028.035100.595029 TRANSFER TO ANIMAL SPAY PROGRAM TO:
\$2,000.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Luli Yes No

Kozakiewicz Yes No

DECEMBER 18, 2001

Adopted

TOWN OF RIVERHEAD

STREET LIGHTING DISTRICT
BUDGET ADJUSTMENT

RESOLUTION # 1289

COUNCILMAN DENSIESKI

offered the following resolution ,

which was seconded by

COUNCILMAN KENT

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

| | | |
|-------------------|--------------------------|------------------------|
| 116.051820.524000 | EQUIPMENT | FROM: \$300. |
| 116.051820.541414 | ST. LIGHTING MAINTENANCE | TO: \$300. |

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

December 18, 2001

TOWN OF RIVERHEAD

RESOLUTION # 1290

RATIFIES AUTHORIZATION TO POST AND PUBLISH NOTICE TO BIDDERS TO PROVIDE AND INSTALL SKATEPARK EQUIPMENT

COUNCILMAN DENSIESKI

offered the following resolution which

was seconded by COUNCILMAN KENT

RESOLVED, that the Town Board be and does hereby ratify the authorization of the Town Clerk to post and publish the attached Notice to Bidders in the December 20, 2001 issue of the official Town newspaper to provide and install skatepark equipment for the Town of Riverhead Skatepark located in Stotzky Park, Riverhead, New York; and

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

THE VOTE

Densieski Yes No Cardinalo Yes No

Kent Yes No Lafl Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD**NOTICE TO BIDDERS**

Sealed proposals for the purchase and installation of skatepark equipment for the Town of Riverhead Skatepark located in Stotzky Park, Riverhead, New York will be received at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 am on January 3, 2002 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about December 21, 2001 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Skatepark Equipment".

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

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

Dated: December 18, 2001

Adopted

12/18/01

TOWN OF RIVERHEAD
RESOLUTION # 1291

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO
BIDDERS FOR RIVERHEAD WATER DISTRICT-WATER MAINS &
APPURTANENCES-
PROJECT 00-53-BIRCHWOOD AT WADING RIVER-SECTION 1

COUNCILMAN KENT 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 Installation of Water Mains & Appurtanences-Birchwood at Wading River-Section 1.

BE IT RESOLVED, that the Town Clerk is hereby authorized to publish and post the following public notice in the December 20, 2001 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 H2M Group, 575 Broad Hollow Road, Melville NY 11747, and Gary Pendzick, Superintendent, Riverhead Water District.

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

H2M GROUP
NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for the following contract:

Installation of Water Mains and Appurtenances

Project No.: RDWD 00-53, Birchwood at Wading River - Section 1

for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until 11:00 AM, prevailing time, on Monday, January 7, 2002, at which time and place all bids will be publicly opened and read.

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead
Town Hall, 200 Howell Avenue
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations *on or after December 20, 2001* upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits for Plans and Specifications will be refunded to Bidders who return same in good condition within ten (10) days. Other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

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

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: December 20, 2001

December 18, 2001

STATUS

[Handwritten signature]

TOWN OF RIVERHEAD

Resolution # 1292

AWARDS BID FOR OFFICE PRODUCTS & FURNITURE

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for OFFICE PRODUCTS & FURNITURE and ;

WHEREAS, bids were received, opened and read aloud on the 30th day of November, 2001 at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT

RESOLVED, that the bid for OFFICE PRODUCTS & FURNITURE ,be and hereby is, awarded to ABL OFFICE PRODUCTS for OFFICE SUPPLIES at less 53.1% and ALLIED OFFICE PRODUCTS for FURNITURE. at less 50.1%(These 2 companies tied in the category of ELECTRONICS at less 33.5% so we awarded to both)

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to ABL OFFICE PRODUCTS AND ALLIED OFFICE PRODUCTS and the Purchasing Department.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not

Thereupon Duly Declared Adopted

RESOLUTION # 1293

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 18, 2001, at 2:00 o'clock P.M., Prevailing Time.

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

PRESENT:

- Supervisor Kozakiewicz
- Councilman Edward Densieski
- Councilman Philip Cardinale
- Councilman Chris Kent
- Councilman James Lull

- Barbara Grattan, Town Clerk

ABSENT:

- Town Attorney Dawn Thomas

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

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

BOND RESOLUTION DATED DECEMBER _____, 2001.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$5,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY ADDITIONAL COSTS OF THE RECONSTRUCTION OF THE ROOF OF THE HIGHWAY BARN/ADMINISTRATIVE OFFICE BUILDING ON OSBORNE AVENUE IN AND FOR SAID TOWN.

WHEREAS, by bond resolutions dated October 20, 1998, and November 8, 2000, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of an aggregate \$135,000 serial bonds of said Town to pay the cost of the reconstruction of the roof of the Highway barn/administrative office building on Osborne Avenue ; and

WHEREAS, it has now been determined that the maximum estimated cost of the aforescribed reconstruction of the roof is \$140,000, an increase of \$5,000 over that previously authorized; and

WHEREAS, is it now desired to provide for the issuance of an additional \$5,000 serial bonds of said Town to pay additional costs thereof; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying additional costs of the reconstruction of the roof of the Highway barn/administrative office building on Osborne Avenue, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$5,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific of object or purpose is now determined to be \$140,000, and that the plan for the financing thereof is as follows:

- a. By the issuance of the \$75,000 serial bonds of said Town authorized to be issued pursuant to bond resolution dated October 20, 1998; and
- b. By the issuance of the \$60,000 serial bonds of said Town authorized to be issued pursuant to bond resolution dated November 8, 2000; and
- c. By the issuance of the additional \$5,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific of object or purpose is fifteen years, pursuant to subdivision 12 (a) (1) of paragraph a of Section 11.00 of the Local Finance Law.

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

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

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

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

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

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

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

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

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

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

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

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

Section 11. This resolution, which takes effect immediately, shall be published in full in

Times Review

, the official newspaper, together with a notice of the

Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

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

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

The resolution was thereupon declared duly adopted.

* * * *

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board
 of said Town, including the resolution contained therein, held on December _____, 2001, with the
 original thereof on file in my office, and that the same is a true and correct transcript therefrom and
 of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date given

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

Designated Location(s)
of posted notice _____

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on December ____, 2001.

Town Clerk

(CORPORATE
SEAL)

DECEMBER 18, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1294

ESTABLISHES SECONDARY YARD WASTE FEES

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

WHEREAS, Residents of the Town of Riverhead can dispose of yard waste via the District Garbage Carters of the Refuse & Garbage District; and

WHEREAS, the Town Board wishes to provide another method of disposal of yard waste to the residents of the Town; and

NOW, THEREFORE, BE IT, RESOLVED, that the Town will establish in 2002 a yard waste facility on Young's Avenue as a second method of disposal of yard waste; and

BE IT FURTHER, RESOLVED, that the yearly fee of \$25.00 per vehicle be established and vehicle stickers will be issued at the Tax Receiver's Office; and

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

THE VOTE

Cardinale [X] Yes [] No, Densieski [X] Yes [] No, Kent [X] Yes [] No, Lull [X] Yes [] No, Kozakiewicz [X] Yes [] No

Adopted

December 18th, 2001

TOWN OF RIVERHEAD
Adopted December 18th, 2001
Resolution # 1295

APPROVES SIX MONTH (6) EXTENSION - TEMPORARY SIGN PERMIT OF
"THE HORIZON"
(Condominium Units)

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

WHEREAS, a temporary sign permit application and sketch were submitted by David Marom, for property located at Route 25A, Wading River, New York, more particularly described as Suffolk County Tax Map Number 0600-75-1-4.1; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves a six month (6) extension of the temporary sign permit application submitted by David Marom for "THE HORIZON", which application is dated July 5th, 2001 and approved by the Riverhead Town Board by Resolution #787 on July 17th, 2001; and be it further

RESOLVED, that said temporary sign permit extension shall expire on June 30th, 2002 and the applicant shall remove the affected sign, in its entirety, on or before said date; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to David Marom, W.R. Woods Association, LLC, 18 Woods Corner Road - 2nd Floor, Setauket, New York 11733, the Planning Department and the Riverhead Building Department.

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

12/18/01

TOWN OF RIVERHEAD

Resolution # 1296

AUTHORIZES TOWN OF RIVERHEAD TO GRANT PERMISSION TO ERECT A MEMORIAL FLAGPOLE

COUNCILMAN DENSIESKI

offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, Mr. and Mrs. Kelly of 195 Eight Bells Road, Reeves Park, Riverhead, have requested permission to have a 25 foot flagpole erected in memory of their son, Firefighter Thomas Richard Kelly, of F.D.N.Y. 5-5-5-5, whom was killed in the line of duty saving lives at the World Trade Center on September 11, 2001; and

WHEREAS, it is requested that the flagpole be installed on Town of Riverhead property located on the northeast entrance of Reeves Park, Sound Avenue, Riverhead, New York; and

WHEREAS, Mr. and Mrs. Kelly have agreed to incur all actual expenses and maintenance and that no costs shall be assessed to the Town of Riverhead.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby grants permission to have a 25 foot flagpole erected in memory of their son, Firefighter Thomas Richard Kelly at the location described above with the costs and maintenance being incurred by Mr. & Mrs. Kelly.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Adopted

December 18th, 2001

TOWN OF RIVERHEAD
Adopted December 18th, 2001
Resolution # 1297

**APPROVES TEMPORARY SIGN PERMIT OF "THE WIZ"
(BANNER)**

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

WHEREAS, a temporary sign permit application and sketch were submitted by John Terzano for property located at Tanger Outlet Shopping Center, 1770 West Main Street, Suite 1440, Riverhead, New York, more particularly described as Suffolk County Tax Map Number 0600-119-1-38.1; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application submitted by John Terzano for "The Wiz", which application is dated 11/23/2001; and be it further

RESOLVED, that said temporary sign permit shall expire on June 30th, 2002 and the applicant shall remove the affected sign, in its entirety, on or before said date; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John Terzano, Cablevision Electronics Investments Inc., d/b/a/ "The Wiz", 2045 Lincoln Highway, Edison, new Jersey 08817, the Planning Department and the Riverhead Building Department.

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

2/19/01

TOWN OF RIVERHEAD

Resolution # 1298

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST
A HELP WANTED AD FOR ACCOUNT CLERK TYPIST

COUNCILMAN LULL

_____ offered the following

resolution, which was seconded by COUNCILMAN KENT

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the December 27, 2001 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 Accounting Department.

THE VOTE

Densieski ___ Yes No ___ Cardinalo 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 Account Clerk Typist. The Town requests that all applicants must have at least two (2) years bookkeeping experience and type 35 wpm. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead. No applications will be accepted after 4:00pm on 1/4/02. EOE

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

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

Adopted

12/18/01

TOWN OF RIVERHEAD

Resolution # 1299

ACCEPTS RESIGNATION OF RENE WARD IN THE SENIORS DEPARTMENT

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

WHEREAS, Rene Ward has notified her Department Head of her resignation effective December 12, 2001.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Rene Ward.

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

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

December 18, 2001

TOWN OF RIVERHEAD

Resolution # 1300

AUTHORIZES THE SUPERVISOR TO EXECUTE A COMMUTER PARKING LEASE BETWEEN THE LONG ISLAND RAILROAD / METROPOLITAN TRANSPORTATION AUTHORITY AND THE TOWN OF RIVERHEAD

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN KENT :

WHEREAS, the Long Island Railroad / Metropolitan Transportation Authority desires to Lease the parking facility located at the Riverhead Train Station, more particularly described in the Lease as Exhibit "1", to the Town of Riverhead for parking purposes pursuant to the terms and conditions in the Lease; and

WHEREAS, the Town of Riverhead recognizes that there is a need for parking in the area around the Riverhead Train Station; and

WHEREAS, the Town by entering into this Lease will alleviate some of the parking concerns in the area around the Riverhead Train Station; and

WHEREAS, the Office of the Town Attorney has reviewed the proposed Lease and has found it adequate.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute the Commuter Parking Lease with the Long Island Railroad / Metropolitan Transportation Authority; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Robert Goldberg, Metropolitan Transportation Authority, 347 Madison Avenue, New York, New York 10017-3739; the Town Engineer; Community Development Office; the Office of the Supervisor and the Office of the Town Attorney.

THE VOTE
Densleski Yes No Cardinala Yes No
Kent Yes No Gill Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Tabled

December 18, 2001

TOWN OF RIVERHEAD

Resolution # 1301

APPROVES SPECIAL PERMIT PETITION OF HEADRIVER, LLC

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

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Headriver, LLC to allow the construction of a 135,000 square foot lumberyard and a 38,000 square foot display area upon real property located at Suffolk County Route 58, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-119-1-1.2, and

WHEREAS, by resolution #385 of 2000 the Riverhead Town Board did determine the action to be Type I with potentially adverse impacts upon the natural and social environment and that a Draft Environmental Impact Statement (DEIS) be prepared, and

WHEREAS, a scoping hearing was held on May 17, 2000 in order to identify all significant environmental issues to be addressed in the DEIS, and

WHEREAS, by resolution #894 of 2000, the Riverhead Town Board did accept as complete a DEIS in support of the petition as prepared by Nelson, Pope and Voorhis, and dated August 15, 2000, and

WHEREAS, a public hearing was held upon the DEIS on the 1st day of November, 2000 in order to hear all interested parties upon the completeness of the DEIS, and

WHEREAS, the DEIS was referred to all involved agencies and parties of interest, and

WHEREAS, by resolution #761 of 2001, the Riverhead Town Board did accept the Final Environmental Impact Statement supporting the special permit petition as prepared by Nelson, Pope and Voorhis and dated April, 2001, and

WHEREAS, by resolution #1051 of 2001 the Town Board of the Town of Riverhead did adopt lead agency findings pursuant to 6NYCRR Part 617.1, and

WHEREAS, the Town Board did refer the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the denial of the petition, and

WHEREAS, the Town Board did refer the petition to the Suffolk County Planning Commission for its report and recommendation; such Planning Commission recommending denial of the petition, and

WHEREAS, a public hearing was held on the petition pursuant to the Riverhead Zoning Ordinance, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, the report of the Suffolk County Planning Commission, the commentary made at the relevant public hearing, as well as all other pertinent planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Headriver, LLC, the Riverhead Town Board hereby makes the following findings:

1. That the premises is located within the Industrial A Zoning Use District;
2. That the subject property lies within both the Riverhead Water District and the Riverhead Sewer District;
3. That the proposed land use is considered a lumberyard pursuant to Section 108-3 of the Riverhead Zoning Ordinance;
4. That lumberyards are currently considered specially permitted uses within the Industrial A Zoning Use District;
5. That it is the policy of this Board that home improvements center type lumberyard should utilize a parking formula of one (1) stall per 200 square feet of floor area and display area;
6. That the site plan attending the special permit petition calculates parking at a rate of one (1) stall per 300 square feet of floor area and does not include 29,400 square feet of "open area" and "shade structure" resulting in less than adequate off-street parking for retail sales areas;
7. The site is particularly suitable for the location of a lumberyard;
8. The Town Board has treated similar businesses offering the retail and wholesale sales of building supplies to tradesmen and the general public in Industrial A zones as lumberyard uses under the Town Code as evidenced by the Town Board's determination to grant to Riverhead Building Supply Corp. and Home Depot special permits to construct and operate lumberyard uses in an Industrial A zone;
9. The plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof;
10. The characteristics of the proposed use are not such that its proposed location would be unsuitable near to the church, school, theater, recreational area or other place of public assembly;
11. Access facilities are adequate for the estimated traffic from public streets;

12. All proposed curb cuts and street intersections have been or will be approved by the Suffolk County Department of Public Works;
13. Adequate provisions have been made for emergency conditions;
14. There are off-street parking and truck loading spaces at least in the number required by the provisions of the zoning code and the layout of the spaces and driveways are convenient and conducive to safe operation;
15. Adequate buffer yards, landscaping, walls, fences and screening are provided where necessary to protect adjacent properties and land uses subject to further review and approval pursuant to the Site Plan Review Process;
16. Adequate provisions have been made for the collection and disposal of storm water runoff from the site and of sanitary sewage, refuse or other waste, whether liquid, solid, gaseous or of other character;
17. Existing municipal services and facilities are adequate to provide for the needs of the proposed use;
18. The use will not 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;
19. The design, layout and contours of all roads and rights-of-way encompassed within the site of the application shall be adequate and meet Town specifications; and

BE IT FURTHER

RESOLVED, that the Town Board additionally finds:

- A. That the proposed lumberyard use in the Industrial A zone is consistent with other granted applications to the Town Board for similar relief;
- B. That the proposed lumberyard use in the Industrial A zone is consistent with the SEQRA Findings previously adopted by the Town Board on October 2, 2001, and any adverse environmental impacts resulting from approval of the special permits have been avoided or minimized to the maximum extent practicable, and

BE IT FURTHER

RESOLVED, that the Town Board makes the following further findings as required by Section 108-3(E)(3) of the Town Zoning Ordinance:

- FIRST: That the proposed lumberyard use in the Industrial A zone will not impair the orderly development of other properties in the neighborhood;
- SECOND: That the benefits of the proposed lumberyard use in the Industrial A zone, which include but are not limited to the enhancement of consumer value, choice and convenience, significant employment opportunities, substantial real property taxes and orderly development along the Route 58 corridor, far outweigh

any disadvantages to the neighborhood resulting from the proposed development of the site, which disadvantages have been eliminated or mitigated to the maximum extent practical;

THIRD: That the public well-being is being served by the proposed development and the health, safety, welfare, comfort and order of the Town will not be adversely affected by the location of a lumberyard use in the Industrial A zone; and

FOURTH: That in consideration of the 1973 Comprehensive Master Plan, the subsequent studies and reports presented to the Town Board that identify the Route 58 corridor as a regional commercial center that attracts customers for the purchase of goods from a significantly large catchment area, which includes locations outside the boundaries of the Town of Riverhead, and the Town Board's policy of providing the infrastructure necessary to attract new development within the western portion of the Route 58 corridor, the proposed lumberyard use in the Industrial A will be in harmony with and will promote the general purposes and intent of the Town of Riverhead Zoning Ordinance, and

BE IT FURTHER

RESOLVED, that this Board has considered and reviewed the recommendation of the Riverhead Planning Board dated November 15, 2001 and as to those recommendations this Board finds:

- A. Under the Code of the Town of Riverhead and the laws of the State of New York the instant application must be evaluated and adjudicated by applying existing zoning (and Master Plan). This Town Board in its resolutions of approval of the applications of Riverhead Building Supply Corp. and Riverhead Centre LLC has specifically found and determined that the lumberyard use in the Industrial A Zoning District is appropriate and consistent with the Master Plan.
- B. This Board may not deny approval of the instant application on the basis of some future yet-to-be adopted zoning change.
- C. The adequacy of parking, site design, drainage, landscaping and lighting is to be determined by the Town Board and the Town Board's consulting engineer (John J. Raynor) has reported that the site plan complies with existing codes.
- D. There is no requirement that an owner develop an entire tax lot at one time. Any further or future development of the tax lot shall be subject to the codes and rules then extant, and

BE IT FURTHER

RESOLVED, that based upon its SEQRA Findings, its other findings set forth herein and such other relevant information presented to the Town Board, the Town Board hereby overrides each and every objection to the proposed development set forth in the resolution for the Suffolk County Planning Commission dated December 5, 2001 disapproving the instant special permit petition and as to those recommendations this Board finds:

A. There is no requirement that an owner develop an entire tax lot at one time. Any further or future development of the tax lot shall be subject to the codes and rules then extant.

B. The future maximum build out of the parcel was considered by the Traffic Studies incorporated in the environmental review and offered in evidence at the public hearing. The design of the improvements to Route 58 and internal movements within the parcel are sufficient to accommodate the maximum potential build out. The design of the improvements to Route 58 and the intersections have been coordinated with the Suffolk County Department of Public Works.

C. The "lumberyard" use definition under the Riverhead Zoning Code has been defined by this Board to include uses such as is proposed by the applicant. This Board has granted special permits for this use in the Industrial A use zone to Home Depot (Riverhead Centre) and Riverhead Building Supply Corp. Both permits have withstood challenge which have been upheld by the Courts.

D. The "lumberyard" use embodied by this application and Home Depot (Riverhead Centre) is consistent with present zoning and will be equally consistent with the destination retail uses envisioned for Route 58 in proposed changes to the Riverhead Master Plan.

E. The impacts of the proposed use on Downtown Riverhead were examined at length. The proposed use will not adversely affect Downtown Riverhead or other existing commercial centers.

F. The property in question has been zoned Industrial A since 1973 (the date of the cited Master Plan) and lumberyards have been permitted or specially permitted uses over that period of time.

G. As to the effect of the Central Suffolk North Special Groundwater Protection area (SGPA) this site is served by both the Riverhead Water District and Riverhead Sewer District, and

BE IT FURTHER

RESOLVED, that the special permit application of Headriver, LLC to construct and operate a lumberyard on property zoned Industrial A designated as SCTM# 0600-119-1-1.2 is granted subject to the following condition:

- i. that this special permit approval shall be valid for a period of three (3) years from the date of this resolution;
- ii. that the contemplated site plan application shall depict parking stalls at the rate of one (1) stall per 200 square feet of building area and outdoor retail sales area;
- iii. that any and all development conditions set forth in the SEQRA Findings Statement adopted by resolution of this Board dated October 2, 2000 shall prevail herein;

- iv. That no building permit shall be issued prior to the approval of the Suffolk County Department of Health Services with respect to Articles 6, 7, and 12 of the Suffolk County Sanitary Code; and

BE IT FURTHER

RESOLVED, that Headriver, LLC shall complete construction of the proposed development within three (3) years from the date of this resolution, and

BE IT FURTHER

RESOLVED, that copies of this resolution will be forwarded to the Planning Board, Planning Department, Town Attorney and Headriver, LLC, or their agent.

Councilman Densieski offered to table the resolution, which was seconded by Councilman Kent.

| | |
|-----------------|---------------|
| Densieski- yes | Cardinale-yes |
| Kent- yes | Lull- yes |
| Kozakiewicz-yes | |

The resolution was duly TABLED

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

Tabled

| RESOLUTION # 1302 ABSTRACT #48-01 DECEMBER 6, 2001 (TBM 12/18/01) | | | | |
|---|-----|--|------------------------|------------------------|
| COUNCILMAN KENT | | offered the following Resolution which was seconded by | | |
| COUNCILMAN DENSIESKI | | | | |
| FUND NAME | | CD-NONE | CHECKRUN TOTALS | GRAND TOTALS |
| GENERAL TOWN | 001 | \$ - | \$ 926,208.54 | \$ 926,208.54 |
| POLICE ATHLETIC LEAGUE | 004 | \$ - | \$ - | \$ - |
| TEEN CENTER | 005 | \$ 1,700.00 | \$ - | \$ 1,700.00 |
| RECREATION PROGRAM | 006 | \$ 10,000.00 | \$ 111.40 | \$ 10,111.40 |
| SR NUTRITION SITE COUNCIL | 007 | \$ 250.00 | \$ 150.00 | \$ 400.00 |
| D.A.R.E. PROGRAM FUND | 008 | \$ 2,000.00 | \$ - | \$ 2,000.00 |
| CHILD CARE CENTER BUILDING FUND | 009 | \$ 8,000.00 | \$ - | \$ 8,000.00 |
| AG-FEST COMMITTEE FUND | 021 | \$ - | \$ - | \$ - |
| YOUTH COURT SCHOLARSHIP FUND | 025 | \$ 500.00 | \$ - | \$ 500.00 |
| SRS DAYCARE BUILDING FUND | 027 | \$ - | \$ - | \$ - |
| COMMUNITY P.E.T.S. SHELTER | 028 | \$ 5,000.00 | \$ 2,650.00 | \$ 7,650.00 |
| ANIMAL SPAY & NEUTERING FUND | 029 | \$ - | \$ - | \$ - |
| EDZ FUND | 030 | \$ 8,500.00 | \$ - | \$ 8,500.00 |
| HIGHWAY | 111 | \$ 10,000.00 | \$ 98,630.33 | \$ 108,630.33 |
| WATER | 112 | \$ 25,000.00 | \$ 113,150.92 | \$ 138,150.92 |
| REPAIR & MAINTENANCE | 113 | \$ 545,000.00 | \$ 37,006.00 | \$ 582,006.00 |
| RIVERHEAD SEWER DISTRICT | 114 | \$ 90,000.00 | \$ 35,089.77 | \$ 125,089.77 |
| REFUSE & GARBAGE COLLECTION | 115 | \$ - | \$ 105,715.30 | \$ 105,715.30 |
| STREET LIGHTING | 116 | \$ 20,000.00 | \$ 43,952.01 | \$ 63,952.01 |
| PUBLIC PARKING | 117 | \$ 20,000.00 | \$ 7,423.60 | \$ 27,423.60 |
| BUSINESS IMPROVEMENT DISTRICT | 118 | \$ 30,000.00 | \$ 3,600.00 | \$ 33,600.00 |
| TOR URBAN DEV CORP TRUST ACCT | 119 | \$ - | \$ - | \$ - |
| AMBULANCE DISTRICT | 120 | \$ 145,000.00 | \$ 40,706.96 | \$ 185,706.96 |
| CALVERTON SEWER DISTRICT | 124 | \$ 35,000.00 | \$ 6,000.00 | \$ 41,000.00 |
| WORKER'S COMPENSATION FUND | 173 | \$ 900,000.00 | \$ 8,691.40 | \$ 908,691.40 |
| RISK RETENTION FUND | 175 | \$ 350,000.00 | \$ 15,946.08 | \$ 365,946.08 |
| UNEMPLOYMENT INSURANCE FUND | 176 | \$ - | \$ - | \$ - |
| MAIN STREET REHAB PROGRAM | 177 | \$ - | \$ - | \$ - |
| REVOLVING LOAN PROGRAM | 178 | \$ - | \$ - | \$ - |
| RESIDENTIAL REHAB | 179 | \$ - | \$ - | \$ - |
| DISCRETIONARY/SMALL CITIES | 180 | \$ - | \$ - | \$ - |
| CDBG CONSORTIUM ACCOUNT | 181 | \$ - | \$ 1,044.47 | \$ 1,044.47 |
| URBAN DEVEL CORP WORKING | 182 | \$ - | \$ - | \$ - |
| RESTORE | 184 | \$ - | \$ - | \$ - |
| PUBLIC PARKING DEBT | 381 | \$ 3,000.00 | \$ - | \$ 3,000.00 |
| SEWER DISTRICT DEBT | 382 | \$ 675,000.00 | \$ 2,162.06 | \$ 677,162.06 |
| WATER DEBT | 383 | \$ 435,000.00 | \$ 121,141.02 | \$ 556,141.02 |
| GENERAL FUND DEBT SERVICE | 384 | \$ 175,000.00 | \$ 98,515.67 | \$ 273,515.67 |
| SCAVENGER WASTE DEBT | 385 | \$ 70,000.00 | \$ - | \$ 70,000.00 |
| TOWN HALL CAPITAL PROJECTS | 406 | \$ - | \$ 63,877.55 | \$ 63,877.55 |
| EIGHT HUNDRED SERIES | 408 | \$ - | \$ - | \$ - |
| WATER IMPROVEMENT CAP PROJ | 409 | \$ - | \$ - | \$ - |
| NUTRITION CAPITAL IMPS | 441 | \$ - | \$ - | \$ - |
| CHIPS | 451 | \$ 250,000.00 | \$ - | \$ 250,000.00 |
| YOUTH SERVICES | 452 | \$ - | \$ 1,215.30 | \$ 1,215.30 |
| SENIORS HELPING SENIORS | 453 | \$ - | \$ - | \$ - |
| EISEP | 454 | \$ - | \$ 215.30 | \$ 215.30 |
| SCAVENGER WASTE CAP PROJ | 470 | \$ - | \$ - | \$ - |
| MUNICIPAL FUEL FUND | 625 | \$ 190,000.00 | \$ 5,409.50 | \$ 195,409.50 |
| MUNICIPAL GARAGE | 626 | \$ 30,000.00 | \$ 15,903.05 | \$ 45,903.05 |
| TRUST & AGENCY | 735 | \$ - | \$ 432,786.27 | \$ 432,786.27 |
| SPECIAL TRUST | 736 | \$ 680,000.00 | \$ - | \$ 680,000.00 |
| COMMUNITY PRESERVATION FUND | 737 | \$ 1,900,000.00 | \$ - | \$ 1,900,000.00 |
| CDA-CALVERTON | 914 | \$ - | \$ 35,000.00 | \$ 35,000.00 |
| COMMUNITY DEVELOPMENT AGENCY | 915 | \$ - | \$ - | \$ - |
| JOINT SCAVENGER WASTE | 918 | \$ - | \$ 8,325.94 | \$ 8,325.94 |
| CENTRAL CLEARING ACCOUNT | 999 | \$ - | \$ - | \$ - |
| TOTALS | | \$ 6,613,950.00 | \$ 2,230,628.44 | \$ 8,844,578.44 |

| RESOLUTION # 1302 ABSTRACT #49-01 DECEMBER 13, 2001 (TBM 12/18/01) | | | | |
|--|-----|--|-----------------|-----------------|
| KENT | | offered the following Resolution which was seconded by | | |
| DENSIESKI | | | | |
| FUND NAME | | CD-NONE | CHECKRUN TOTALS | GRAND TOTALS |
| GENERAL TOWN | 001 | \$ - | \$ 761,660.10 | \$ 761,660.10 |
| POLICE ATHLETIC LEAGUE | 004 | \$ - | \$ 340.00 | \$ 340.00 |
| TEEN CENTER | 006 | \$ - | \$ 97.60 | \$ 97.60 |
| RECREATION PROGRAM | 006 | \$ - | \$ 1,215.34 | \$ 1,215.34 |
| SR NUTRITION SITE COUNCIL | 007 | \$ - | \$ - | \$ - |
| D.A.R.E. PROGRAM FUND | 008 | \$ - | \$ - | \$ - |
| CHILD CARE CENTER BUILDING FUND | 009 | \$ - | \$ 466.62 | \$ 466.62 |
| AG-FEST COMMITTEE FUND | 021 | \$ - | \$ - | \$ - |
| YOUTH COURT SCHOLARSHIP FUND | 026 | \$ - | \$ - | \$ - |
| SRS DAYCARE BUILDING FUND | 027 | \$ - | \$ 1,991.00 | \$ 1,991.00 |
| COMMUNITY P.E.T.S. SHELTER | 028 | \$ - | \$ 2,000.00 | \$ 2,000.00 |
| ANIMAL SPAY & NEUTERING FUND | 029 | \$ - | \$ - | \$ - |
| EDZ FUND | 030 | \$ - | \$ 3,424.67 | \$ 3,424.67 |
| HIGHWAY | 111 | \$ - | \$ 119,894.89 | \$ 119,894.89 |
| WATER | 112 | \$ - | \$ 82,010.66 | \$ 82,010.66 |
| REPAIR & MAINTENANCE | 113 | \$ - | \$ - | \$ - |
| RIVERHEAD SEWER DISTRICT | 114 | \$ - | \$ 85,389.62 | \$ 85,389.62 |
| REFUSE & GARBAGE COLLECTION | 116 | \$ - | \$ 16,296.21 | \$ 16,296.21 |
| STREET LIGHTING | 116 | \$ - | \$ 37,662.67 | \$ 37,662.67 |
| PUBLIC PARKING | 117 | \$ - | \$ 17,230.54 | \$ 17,230.54 |
| BUSINESS IMPROVEMENT DISTRICT | 118 | \$ - | \$ 866.67 | \$ 866.67 |
| TOR URBAN DEV CORP TRUST ACCT | 119 | \$ - | \$ - | \$ - |
| AMBULANCE DISTRICT | 120 | \$ - | \$ 2,582.14 | \$ 2,582.14 |
| CALVERTON SEWER DISTRICT | 124 | \$ - | \$ - | \$ - |
| WORKER'S COMPENSATION FUND | 173 | \$ - | \$ 561.65 | \$ 561.65 |
| RISK RETENTION FUND | 175 | \$ - | \$ 5,058.50 | \$ 5,058.50 |
| UNEMPLOYMENT INSURANCE FUND | 176 | \$ - | \$ - | \$ - |
| MAIN STREET REHAB PROGRAM | 177 | \$ - | \$ - | \$ - |
| REVOLVING LOAN PROGRAM | 178 | \$ - | \$ - | \$ - |
| RESIDENTIAL REHAB | 179 | \$ - | \$ - | \$ - |
| DISCRETIONARY/SMALL CITIES | 180 | \$ - | \$ - | \$ - |
| CDBG CONSORTIUM ACCOUNT | 181 | \$ - | \$ 1,455.67 | \$ 1,455.67 |
| URBAN DEVEL CORP WORKING | 182 | \$ - | \$ - | \$ - |
| RESTORE | 184 | \$ - | \$ - | \$ - |
| PUBLIC PARKING DEBT | 381 | \$ - | \$ - | \$ - |
| SEWER DISTRICT DEBT | 382 | \$ - | \$ - | \$ - |
| WATER DEBT | 383 | \$ - | \$ - | \$ - |
| GENERAL FUND DEBT SERVICE | 384 | \$ - | \$ 1,600.00 | \$ 1,600.00 |
| SCAVENGER WASTE DEBT | 385 | \$ - | \$ - | \$ - |
| TOWN HALL CAPITAL PROJECTS | 406 | \$ - | \$ 386,223.56 | \$ 386,223.56 |
| EIGHT HUNDRED SERIES | 408 | \$ - | \$ - | \$ - |
| WATER IMPROVEMENT CAP PROJ | 409 | \$ - | \$ - | \$ - |
| NUTRITION CAPITAL IMPS | 441 | \$ - | \$ - | \$ - |
| CHIPS | 451 | \$ - | \$ - | \$ - |
| YOUTH SERVICES | 462 | \$ - | \$ 2,124.87 | \$ 2,124.87 |
| SENIORS HELPING SENIORS | 463 | \$ - | \$ 1,706.08 | \$ 1,706.08 |
| EISEP | 464 | \$ - | \$ 1,002.33 | \$ 1,002.33 |
| SCAVENGER WASTE CAP PROJ | 470 | \$ - | \$ - | \$ - |
| MUNICIPAL FUEL FUND | 626 | \$ - | \$ 243.75 | \$ 243.75 |
| MUNICIPAL GARAGE | 626 | \$ - | \$ 23,168.89 | \$ 23,168.89 |
| TRUST & AGENCY | 735 | \$ - | \$ 780,063.66 | \$ 780,063.66 |
| SPECIAL TRUST | 736 | \$ - | \$ - | \$ - |
| COMMUNITY PRESERVATION FUND | 737 | \$ - | \$ - | \$ - |
| CDA-CALVERTON | 914 | \$ - | \$ 5,161.44 | \$ 5,161.44 |
| COMMUNITY DEVELOPMENT AGENCY | 915 | \$ - | \$ - | \$ - |
| JOINT SCAVENGER WASTE | 918 | \$ - | \$ 97,826.63 | \$ 97,826.63 |
| CENTRAL CLEARING ACCOUNT | 999 | \$ - | \$ - | \$ - |
| TOTALS | | \$ - | \$ 2,438,194.36 | \$ 2,438,194.36 |

Adopted

December 18, 2001

TOWN OF RIVERHEAD

RESOLUTION # 1303RESCINDS GENERAL CONSTRUCTION BID AWARD FOR SENIOR CITIZEN
HUMAN RESOURCE CENTERCOUNCILMAN KENT

offered the following resolution which

was seconded by COUNCILMAN LULL.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the Senior Citizen Human Resource Center; and

WHEREAS, bids were received, opened and read aloud on the 27th day of November, 2001 in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, the General Construction bid was awarded to Irwin Contracting, 252 Veterans Memorial Highway, Commack, NY 11725 in the amount of Base Bid of \$1,251,000.00 and Add Alternate 4 for exterior stone work in the amount of \$52,000.00 for a total contract amount of One Million Three Hundred and Three Dollars & 00/100 (\$1,303,000.00); and

WHEREAS, a subsequent tabulation of the bids submitted has revealed that the low bid for General Construction including the Base Bid in the amount of \$1,271,274.00 and add Alternate 4 in the amount of \$30,000.00 has been submitted by SJS Construction Company, Inc. for a total amount of One Million Three Hundred One Thousand Two Hundred Seventy Four & 00/100 (\$1,301,274.00); and

WHEREAS, bid submitted by SJS Construction Company, Inc. is One Thousand Seven Hundred Twenty Six & 00/100 (\$1,726.00) less than the combined bid submitted by Irwin Contracting.

NOW, THEREFORE, BE IT RESOLVED, that the bid award for the General Construction to Irwin Contracting pursuant to Town Board Resolution No. 1248 adopted December 4, 2001 be and is hereby rescinded; and

BE IT FURTHER RESOLVED, that the General Construction bid be and is hereby awarded to SJS Construction Company, Inc., 430 Falmouth Road, West Babylon, NY 11704 for Base Bid in the amount of One Million Two Hundred Seventy One Thousand Two Hundred Seventy Four & 00/100 (\$1,271,274.00) and Add Alternate

4 for exterior stone work in the amount of Thirty Thousand Dollars & 00/100 (\$30,000.00) for a total contract amount of One Million Three Hundred One Thousand Two Hundred Seventy Four Dollars & 00/100 (\$1,301,274.00); and

BE IT FURTHER RESOLVED, that the Town Clerk be and is authorized to return any and all bid bonds received in connection with this project to Irwin Contracting; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Irwin Contracting, 252 Veterans Memorial Highway, Comic, NY 11725, SJS Construction Company, Inc., 430 Falmouth Road, West Babylon, NY 11704, Kenneth Test, PE, Martin Sendlewski, AIA, Judy Doll and the Office of Accounting.

THE VOTE

Dendoski Yes No Cardinale Yes No
 Kent Yes No Dell Yes No
 Sendlewski Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

12/18/01

TOWN OF RIVERHEAD

Adopted

Resolution # 1304

AUTHORIZES THE SUBSTITUTION AND RELEASE OF SECURITY POSTED IN CONNECTION WITH SUBDIVISION ENTITLED, "DARREN DEVELOPMENT CRESCENT ON THE SOUND, WADING RIVER, NEW YORK"

COUNCILMAN LULL

_____ offered the following resolution, was seconded by

COUNCILMAN KENT :

WHEREAS, on June 22, 2001, the Riverhead Planning Board adopted a resolution conditionally approving the final plat of the subdivision entitled, "Darren Development Crescent on the Sound" filed by Wading River Investment Company, LLC; and

WHEREAS, the aforementioned resolution requested that Darren Development Crescent on the Sound, post a performance bond or other security in the amount of \$63,000.00 representing park and playground fees; \$52,500.00 representing Water District Key Money and \$455,000.00 for road and drainage improvements to be completed within said subdivision; and

WHEREAS, in accordance with Resolution # 860 adopted by the Riverhead Town Board on August 7, 2001, Darren Development Crescent on the Sound posted Suffolk County National Bank Assignment of Certificate of Deposit #191038267 in the amount of \$63,000.00 representing park and playground fees; Suffolk County National Bank Assignment of Certificate of Deposit #191038256 in the amount of \$52,500.00 representing Water District Key Money and International Fidelity Insurance Company Bond #289310 in the amount of \$455,000.00 representing road and drainage improvements to be completed within said subdivision; and

WHEREAS, the Town is in receipt of a letter dated December 10, 2001, from Peter Marullo, Esq. of Borovina & Marullo, PLLC, advising their client, Golfo Family Holdings LLC, is currently in contract with Darren Development Crescent on the Sound to purchase said subdivision. It is further requested that the Town Board authorize the security currently posted by Darren Development Crescent on the Sound be released and substituted with security to be posted by Golfo Family Holdings, LLC.

NOW THEREFORE BE IT RESOLVED, that upon receipt of security from Golfo Family Holding, LLC, approved as to form and sufficiency by the Town Attorney, the Town Board of the Town of Riverhead hereby authorizes the release of the aforementioned security to Darren Development Crescent on the Sound; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq. as attorney for Darren Development Crescent on the Sound, 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901; Peter Marullo, Esq., 425

Broad Hollow Road, Melville, New York, 11747; the Building Department; the Planning Department; the Planning Board; Richard A. Ehlers, Esq.; the Accounting Department and the Office of the Town Attorney.

THE VOTE

Dennicelli Yes ___ No ___ Cardinale Yes ___ No ___

Kort Yes ___ No ___ El Yes ___ No ___

Kennel Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED