

Town Clerk Copy
Barbara Grattan

**TOWN BOARD MEETING
AGENDA
PHILIP CARDINALE, Supervisor**

June 15th 2004

Edward Densieski, Councilman
George Bartunek, Councilman

Barbara Blass, Councilwoman
Rose Sanders, Councilwoman

Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney

ELECTED OFFICIALS

Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Maryann Wowak Heilbrunn
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 E. Barnes, Jr.
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief David Hegermiller
James Janecek
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick

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

239

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED
BELOW:

REGULAR TOWN BOARD MEETING:

- #524** A Resolution Authorizing the Issuance of \$1,494,000 Serial Bonds of the Town of Riverhead, Suffolk County, New York, to Pay the Cost of the Construction of a Parking Lot on a Town-Owned Parcel of Land on Railroad Avenue in and for said Town
- #525 Youngs Avenue Road Improvement Budget Adoption
- #526 Cliff Road, Cedar Road, Locust Road, Oak Road, Ravine Road Road Improvements Budget Adoption
- #527 Dougs Lane, Tuts Lane and 4th Street Road Improvements Budget Adoption
- #528 Oakleigh Avenue Road Improvement Budget Adoption
- #529 Wyl Lane and Lynn Lane Road Improvements Budget Adoption
- #530 Awards Bid for Water Meters for Use in the Riverhead Water District
- #531 Calverton Enterprise Park-CDA Budget Adjustment
- #532 Calverton Sewer District Budget Adjustment
- #533 Friar's Head Water Ext #80 Budget Adoption
- #534 General Fund Budget Adjustment
- #535 Horton Court Road Improvement Project Budget Adjustment
- #536 Millbrook Gables Water Ext. Budget Adjustment
- #537 Riverhead Scavenger Waste District Budget Adjustment
- #538 Riverhead Sewer District Budget Adjustment
- #539 Amendment to Resolution #412
- #540 Accepts S.C.N.B. Irrevocable Letter of Credit of Zoumas Contracting Corp. (Road & Drainage Improvements-"Baiting Hollow Farms")
- #541 Approves Application of East End Arts Council

- #542 Approves Application of Martha Clara Vineyards, LLC
("Everything but Chardonnay & Merlot" Festival)
- #543 Authorizes the Accounting Department to Make a Refund of
Community Preservation Money Erroneously paid
- #544 Authorizes the Supervisor to Execute a Service Agreement
with Barist Elevator Company, Inc.
- #545 Authorizes Town Clerk to Publish and Post Public Notice for
a Local Law to Consider an Amendment to Chapter 47 "Bays
and Creeks" of the Riverhead Town Code (47-1 Definitions)
- #546 Authorizes the Supervisor to Execute an Order on Consent of
the New York State Department of Environmental
Conservation (Reporting of Pesticides)
- #547 Authorizes Town Clerk to Publish and Post Notice of Public
Hearing-Special Permit of C. Starr Y. Corp. (The Boardwalk
on Main)
- #548 Authorizes the Town Clerk to Publish and Post Public
Notice of Public Hearing to Consider a Proposed Local
Law for an Amendment of Chapter 101 (Vehicles &
Traffic) of the Riverhead Town Code (101.10 & 101-18)
- #549 Seasonal Employee Drug & Alcohol Testing
- #550 Releases Performance Bonds (2) in Connection with the
Subdivision Entitled, "Meadowcrest IV at Settlers
Landing" (Park & Rec Fees & Water District Key Money)
- #551 Accepts 5% Security Bond of Mill Pond Developers, LLC
(Buildings 13 inclusive thru 17)
- #552 Approves Application of Polish Town Civic Association
- #553 Authorizes Town of Riverhead to Remove Rubbish,
Debris and the Cutting of Grass and Weeds from
Property Pursuant to Chapter 96 Entitled, "Trash,
Rubbish and Refuse Disposal" of the Riverhead Town
Code
- #554 Appoints a Lifeguard Level II to the Recreation Dept. (E.
Fondiller)

- #555 Approves Site Plan of Hartill Contracting, Inc.-Swezey Avenue
- #556 Amends Site Plan of Little Flower Children's Services
- #557 Amends Site Plan of Vertical Line Apparel II, Inc.
- #558 Awards Professional Services Contract for Archeological Phase 1B Investigation at Calverton Enterprise Park Recreation Facilities Site
- #559 Appoints Recreation Leader to the Recreation Dept. (J. Tilton)
- #560 Appoints Recreation Leader to the Recreation Dept. (N. Sollazzo)
- #561 Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, "Trash, Rubbish and Refuse Disposal" of the Riverhead Town Code
- #562 Authorization to Republish Advertisement for Television Surveillance Cameras for E.P.C.A.L.
- #563 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Proposed Local Law to Amend Chapter 14 Entitled, "Community Preservation" of the Riverhead Town Code
- #564 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 48 Entitled, "Beaches and Recreation Centers" of the Riverhead Town Code
- #565 Ratifies the Publication of a Help Wanted Ad for an Account Clerk Typist
- #566 Awards Bid for Pump out Boat
- #567 Approves Application of Martha Clara Vineyards, LLC (Wedding-Putney/Mackler)
- #568 Pays Bills

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 June 15, 2004, at 2:00 o'clock P.M., Prevailing Time.

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

PRESENT: Supervisor Philip Cardinale
Councilwoman Sanders
Councilwoman Blass
Councilman Densieski
Councilman Bartunek

ALSO PRESENT: Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney

ABSENT:

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

This Resolution was adopted with a change in the second resolved on Page 2.

This resolution was not advertised in the News-Review because another resolution replaced this one which was adopted at a Special Board Meeting of June 22, 2004, without any changes.

BOND RESOLUTION DATED JUNE 15, 2004.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,494,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF A PARKING LOT ON A TOWN-OWNED PARCEL OF LAND ON RAILROAD AVENUE IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

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

RESOLVED, that in the matter of the bond authorization of \$1,494,000 to finance the construction of a parking facility at Railroad Avenue, Riverhead, New York, the Riverhead Town Board hereby declares itself to be the lead agency in the environmental review of such financing and further determines the borrowing to be an Unlisted action pursuant to 6NYCRR part 617 without adverse impacts upon either the natural or social environment and that an Environmental Impact Statement need not be prepared.

Section 1. For the specific object or purpose of paying the cost of the construction of a parking lot on a Town-owned parcel of land on Railroad Avenue, including incidental equipment and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$1,494,000 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 the aforesaid specific object or purpose is \$1,494,000, and the plan for the financing thereof shall be by the issuance of the \$1,494,000 serial bonds authorized pursuant to this bond resolution; provided, however, that the amount of serial bonds ultimately to be issued will be reduced by the amount of any State and/or Federal aid received by said Town for such specific object or purpose.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

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 obligations 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. 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 10. 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 11. Upon this resolution taking effect, the same shall be published in full in The News 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	_____

The resolution was thereupon declared duly adopted.

* * * *

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Dersieski yes ___ no
Cardinale yes ___ no
**THE RESOLUTION WAS ___ WAS NOT
THEREFORE 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 June 15, 2004, 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 June ____, 2004.

Town Clerk

AFFIDAVIT OF POSTING

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DEPOSE AND SAY:

That on the ____ day of _____, 2004, I caused to be posted on the official signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of Adoption of a resolution adopted by the Town Board of said Town on the 15th day of June, 2004.

A true and correct copy of such Notice of Adoption is attached hereto.

Town Clerk

Sworn to before me this ____ day
of _____, 2004

Notary Public

NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on June 15, 2004, duly adopted the resolution published herewith, subject to a permissive referendum.

Dated: Riverhead, New York
June ____, 2004.

Town Clerk

JUNE 15, 2004

Adopted

TOWN OF RIVERHEAD

YOUNGS AVENUE ROAD IMPROVEMENT

BUDGET ADOPTION

RESOLUTION # 525

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

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

		<u>FROM</u>	<u>TO</u>
406.051100.487451.45077	TRANSFER FROM CHIPS	\$40,000	
406.051100.541301.45077	ASPHALT EXP.		\$40,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JUNE 15, 2004

1151

Adopted

TOWN OF RIVERHEAD

CLIFF ROAD, CEDAR ROAD, LOCUST ROAD, OAK ROAD, RAVINE ROAD ROAD IMPROVEMENTS

BUDGET ADOPTION

RESOLUTION # 526

COUNCILWOMAN BLASS

_____ offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

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

		<u>FROM</u>	<u>TO</u>
406.051100.487451.45078	TRANSFER FROM CHIPS	\$40,000	
406.051100.541301.45078	ASPHALT EXP.		\$40,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JUNE 15, 2004

1152
Adopted

TOWN OF RIVERHEAD

DOUGS LANE, TUTS LANE AND 4TH STREET ROAD IMPROVEMENTS

BUDGET ADOPTION

RESOLUTION # 527

COUNCILWOMAN BLASS

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

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

		<u>FROM</u>	<u>TO</u>
406.051100.487451.45079	TRANSFER FROM CHIPS	\$50,000	
406.051100.541301.45079	ASPHALT EXP.		\$50,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JUNE 15, 2004

Adopted

TOWN OF RIVERHEAD

OAKLEIGH AVE. ROAD IMPROVEMENT

BUDGET ADOPTION

RESOLUTION # 528

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by

COUNCILMAN BARTUNEK

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

	<u>FROM</u>	<u>TO</u>
406.051100.487451.45080 TRANSFER FROM CHIPS	\$6,000	
406.051100.541301.45080 ASPHALT EXP.		\$6,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JUNE 15, 2004

Adopted

TOWN OF RIVERHEAD

WYL LANE AND LYNN LANE ROAD IMPROVEMENTS

BUDGET ADOPTION

RESOLUTION # 529

COUNCILWOMAN BLASS

_____ offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

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

		<u>FROM</u>	<u>TO</u>
406.051100.487451.45081	TRANSFER FROM CHIPS	\$30,000	
406.051100.541301.45081	ASPHALT EXP.		\$30,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

June 15, 2004

1155

Adopted

TOWN OF RIVERHEAD

**AWARDS BID FOR WATER METERS FOR USE
IN THE RIVERHEAD WATER DISTRICT**

RESOLUTION # 530

COUNCILWOMAN SANDERS 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 water meters for use by the Riverhead Water District; and

WHEREAS, bids were received, opened and read aloud on the 4th day of June, 2004, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for water meters for use in the Riverhead Water District be and is hereby awarded to Friendly Bytes Software, Inc., as listed on the bid proposal sheet and the exceptions to specifications attached hereto; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Friendly Bytes Software, Inc., 490 Wheeler Road, Suite 165E, Hauppauge, New York, 11788, the Riverhead Water District and the Purchasing Department.

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Sanders	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

BID PROPOSAL SHEET

1156

<u>TYPE OF METER</u>		<u>NET DELIVERED PRICE</u>	
Item 1	5/8" x 1/2" ECR Meter	\$	<u>76.33</u> Each
Item 2	3/4" ECR Meter	&	<u>98.20</u> Each
Item 3	1" ECR Meter	\$	<u>123.53</u> Each
Item 4	5/8" x 1/2" Pit Meter	\$	<u>86.51</u> Each
Item 5	3/4" Pit Meter	\$	<u>108.45</u> Each
Item 6	1" Pit Meter	\$	<u>133.70</u> Each
Item 7	1 1/2" SRH Meter	\$	<u>N/A</u> Each
Item 8	2" SRH Meter	\$ ECR <u>1020.87</u>	\$ Pit <u>1034.03</u> Each
Item 9	4" SRH Meter	\$ ECR <u>2115.96</u>	\$ Pit <u>2129.12</u> Each
Item 10	6" SRH Meter	\$ ECR <u>3849.79</u>	\$ Pit <u>3862.95</u> Each
Item 11	8" SRH Meter	\$ ECR <u>6887.85</u>	\$ Pit <u>6914.18</u> Each
Item 12	1 1/2" SR Turbo Meter	\$ ECR <u>413.77</u>	\$ Pit <u>426.93</u> Each
Item 13	2" SR Turbo Meter	\$ ECR <u>488.42</u>	\$ Pit <u>502.40</u> Each
Item 14	4" SR Turbo Meter	\$ ECR <u>1132.96</u>	\$ Pit <u>1146.13</u> Each
Item 15	6" SR Turbo Meter	\$ ECR <u>1990.97</u>	\$ Pit <u>2004.13</u> Each
Item 16	8" SR Turbo Meter	\$ ECR <u>2867.83</u>	\$ Pit <u>2881.00</u> Each
Item 17	5/8" ECR Meter Conversion Kit	\$	<u>51.83</u> Each
Item 18	3/4" ECR Meter Conversion Kit	\$	<u>51.83</u> Each
Item 19	1" ECR Meter Conversion Kit	\$	<u>51.83</u> Each
Item 20	5/8" Pit Meter Conversion Kit	\$	<u>60.37</u> Each
Item 21	3/4" Pit Meter Conversion Kit	\$	<u>60.37</u> Each
Item 22	1" Pit Meter Conversion Kit	\$	<u>60.37</u> Each
Item 23	1 1/2" SRH Meter Conversion Kit	\$	<u>N/A</u> Each
Item 24	2" SRH Meter Conversion Kit	ECR <u>123.13</u>	\$ Pit <u>136.09</u> Each
Item 25	4" SRH Meter Conversion Kit	ECR <u>123.13</u>	\$ Pit <u>136.09</u> Each
Item 26	6" SRH Meter Conversion Kit	ECR <u>123.13</u>	\$ Pit <u>136.09</u> Each
Item 27	8" SRH Meter Conversion Kit	ECR <u>123.13</u>	\$ Pit <u>136.09</u> Each
Item 28	1 1/2" SR Turbo Meter Conversion Kit	ECR <u>123.13</u>	\$ Pit <u>136.09</u> Each
Item 29	2" SR Turbo Meter Conversion Kit	ECR <u>123.13</u>	\$ Pit <u>136.09</u> Each
Item 30	4" SR Turbo Meter Conversion Kit	ECR <u>123.13</u>	\$ Pit <u>136.09</u> Each

IMPORTANT

STRAINED
ARE NOT
INCLUDED
SEE ATTA

BID PROPOSAL SHEET (continued)

1157

	<u>TYPE OF METER</u>	<u>NET DELIVERED PRICE</u>
Item 31	6" SR Turbo Meter Conversion Kit	<u>ECR 123.13</u> \$ <u>Pit 136.09</u> Each
Item 32	* 8" SR Turbo Meter Conversion Kit	<u>ECR 123.13</u> \$ <u>Pit 136.09</u> Each *

* REQUIRES 2 CONVERSION KITS
IN ORDER TO CONVERT, 1 FOR
EACH REGISTER ON THE UNIT.

"ECR" IS UNIT USED INDOORS

"Pit" IS UNIT USED OUT DOORS AND IS WEATHER PROTECTED

Town of Riverhead – Bid for Water Meters

“EXCEPTIONS TO SPECIFICATIONS”

Additional meters believed to be used by the Riverhead Water District.

1-1/2” SR ECR Meter	\$ <u>271.94</u>
2” SR ECR Meter	\$ <u>381.94</u>
1-1/2” SR PIT Meter	\$ <u>281.94</u>
2” SR PIT Meter	\$ <u>391.94</u>

Turbo meters with Strainers.

1-1/2” Turbo ECR Meter w/integral strainer	\$ <u>549.03</u>
2” Turbo ECR Meter w/integral strainer	\$ <u>652.78</u>
4” Turbo ECR Meter w/integral strainer	\$ <u>1,595.38</u>
6” Turbo ECR Meter w/integral strainer	\$ <u>2,642.21</u>
8” Turbo ECR Meter w/integral strainer	\$ <u>4,041.70</u>
1-1/2” Turbo PIT Meter w/integral strainer	\$ <u>563.01</u>
2” Turbo PIT Meter w/integral strainer	\$ <u>666.77</u>
4” Turbo PIT Meter w/integral strainer	\$ <u>1,309.36</u>
6” Turbo PIT Meter w/integral strainer	\$ <u>2,656.20</u>
8” Turbo PIT Meter w/integral strainer	\$ <u>4,055.68</u>

* Sensus Metering Systems, Inc. states that Turbo Meters 6” and larger installed without a strainer, may affect meter performance and the Sensus Guarantee.

* Note “ECR” - Added to the bid spec denotes a unit used indoors.
 “PIT” - Added to the bid spec denotes a unit used outdoors and is protected from the weather.

JUNE 15, 2004

TOWN OF RIVERHEAD

CALVERTON ENTERPRISE PARK - CDA

BUDGET ADJUSTMENT

RESOLUTION # 531

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

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

		<u>FROM</u>	<u>TO</u>
914.000000.390599	APPROPRIATED FUND BALANCE	\$16,000	
914.069890.541499	MISC. REPAIRS & MAINT.		\$16,000

THE VOTE

Bartunek Yes No Sanders Yes No
 Blass Yes No Densieski Yes No
 Cardinale Yes No

JUNE 15, 2004

1160
Adopted

TOWN OF RIVERHEAD

CALVERTON SEWER DISTRICT

BUDGET ADJUSTMENT

RESOLUTION # 532

COUNCILMAN BARTUNEK

_____ offered the following resolution,

which was seconded by _____ COUNCILWOMAN BLASS

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

		<u>FROM</u>	<u>TO</u>
124.081300.543975	SECURITY SERVICES	\$5,000	
124.081300.541100	BLDG REPAIRS		\$5,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JUNE 15, 2004

Adopted

TOWN OF RIVERHEAD

FRIAR'S HEAD WATER EXT #80

BUDGET ADOPTION

RESOLUTION # 533

COUNCILWOMAN BLASS offered the following resolution,
which was seconded by COUNCILWOMAN SANDERS.

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

		<u>FROM</u>	<u>TO</u>
406.092705.421050.60083	DEVELOPER FEES	\$4,000	
406.083200.543501.60083	ENGINEERING EXP.		\$4,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JUNE 15, 2004

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 534

COUNCILWOMAN SANDERS

_____ offered the following resolution,

COUNCILMAN DENSIESKI

which was seconded by _____.

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

	<u>FROM</u>	<u>TO</u>
001.016250.541201 BEACH PREPARATION	\$2,200	
001.016250.524000 BLDG & GROUNDS, EQUIP.		\$2,200
001.075200.540000 HISTORICAL PROP., CONTR. EXP.	600	
001.075200.524000 HISTORICAL PROP., EQUIP.		600

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JUNE 15, 2004

AdoptedTOWN OF RIVERHEADHORTON COURT ROAD IMPROVEMENT PROJECTBUDGET ADJUSTMENTRESOLUTION # 535

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

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

		<u>FROM</u>	<u>TO</u>
406.095731.494200.45066	SERIAL BOND PROCEEDS	\$2,510	
406.051100.541301.45066	ROAD PAVING		\$2,510

THE VOTE

Bartunek Yes NoSanders Yes NoBlass Yes NoDensieski Yes NoCardinale Yes No

JUNE 15, 2004

TOWN OF RIVERHEAD
MILLBROOK GABLES WATER EXT.
BUDGET ADJUSTMENT
RESOLUTION # 536

Adopted

_____ COUNCILMAN BARTUNEK _____ offered the following resolution,
 which was seconded by _____ COUNCILWOMAN BLASS _____.

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

	<u>FROM</u>	<u>TO</u>
406.092705.421050.30022 DEVELOPER FEES	\$14,350	
406.083200.523002.30022 CONSTRUCTION		\$11,950
406.083200.543501.30022 ENGINEERING EXP.		1,200
406.083200.547900.30022 CONTINGENCY		1,200

THE VOTE

Bartunek Yes No Sanders Yes No
 Blass Yes No Densieski Yes No
 Cardinale Yes No

JUNE 15, 2004

AdoptedTOWN OF RIVERHEADRIVERHEAD SCAVENGER WASTE DISTRICTBUDGET ADJUSTMENTRESOLUTION # 537

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by

COUNCILWOMAN SANDERS

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

		<u>FROM</u>	<u>TO</u>
128.081890.546203	ELECTRICITY	\$7,000	
128.081890.541400	EQUIPMENT REPAIRS.		\$7,000

THE VOTE

Bartunek Yes NoSanders Yes NoBlass Yes NoDensieski Yes NoCardinale Yes No

JUNE 15, 2004

Adopted

TOWN OF RIVERHEAD

RIVERHEAD SEWER DISTRICT

BUDGET ADJUSTMENT

RESOLUTION # 538

COUNCILWOMAN SANDERS

_____ 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:

		<u>FROM</u>	<u>TO</u>
114.081300.546203	ELECTRICITY	\$18,600	
114.081300.541100	BLDG. REPAIRS & MAINT.		\$10,000
114.081300.541103	PUMP STATION MAINT.		7,000
114.081300.543401	EDUCATION		1,600

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JUNE 15, 2004

Adopted**TOWN OF RIVERHEAD****AMENDMENT TO RESOLUTION #412****RESOLUTION # 539**

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

WHEREAS, Resolution #412 was adopted on May 18, 2004 authorizing the continuance of the East End Transportation Council Sustainable East End Development Strategy (SEEDS) study; and

WHEREAS, Resolution #412, erroneously stated the payment be forwarded to Southold Town; and

WHEREAS, payments should be forwarded to the Town of East Hampton.

NOW, THEREFORE BE IT, RESOLVED, that a certified copy of this amended resolution be forwarded to the East End Transportation Council c/o, Town of East Hampton, 159 Pantigo Road, East Hampton, NY 11937, the Town of Riverhead Accounting Department and the Town of Riverhead Planning Department.

THE VOTEBartunek Yes NoSanders Yes NoBlass Yes NoDensieski Yes NoCardinale Yes No

6/15/04

1168
Adopted

TOWN OF RIVERHEAD

Resolution # 540

ACCEPTS S.C.N.B. IRREVOCABLE LETTER OF CREDIT OF ZOUMAS CONTRACTING CORP. (ROAD & DRAINAGE IMPROVEMENTS – “BAITING HOLLOW FARMS”)

COUNCILMAN BARTUNEK offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, by resolution adopted on May 17, 2004, the Riverhead Planning Board did conditionally approve the final plat entitled, “Baiting Hollow Farms”, with one of the conditions of final approval being the submission and filing of a performance bond or other acceptable form of performance security in the amount of \$725,000.00 covering the road and drainage improvements within said subdivision; and

WHEREAS, Zoumas Contracting Corp. has submitted to the Town an Irrevocable Letter of Credit drawn by Suffolk County National Bank, Letter of Credit No. 040415A in the amount of \$725,000.00, having an expiration date of April 15, 2005; and

WHEREAS, the Town Attorney has reviewed said S.C.N.B. Irrevocable Letter of Credit No. 040415A and has determined that same is satisfactory in its form.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby accepts S.C.N.B. Irrevocable Letter of Credit No. 040415A in the amount of \$725,000.00, having an expiration date of April 15, 2005, covering the road and drainage improvements within said subdivision; and be it further

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

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Deñsieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT THEREFORE DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution # 541

APPROVES APPLICATION OF EAST END ARTS COUNCIL

COUNCILWOMAN BLASS offered the following resolution, was seconded by COUNCILWOMAN SANDERS :

WHEREAS, the East End Arts Council ("EEAC") has submitted an application for the purpose of conducting three concerts as part of the Wine Press Concert Series to be held at the following locations, dates and times:

- Martha Clara Vineyards Saturday, July 3, 2004 6:30 - 8:30 p.m.
- Jamesport Vineyard Saturday, July 17, 2004 6:30 - 8:30 p.m.
- Paumanok Vineyards Saturday, August 21, 2004 6:30 - 8:30 p.m. ; and

WHEREAS, the applicant has requested the application fee be waived; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of the East End Arts Council for the purpose of conducting three concerts as part of the Wine Press Concert Series to be held at the aforementioned locations, dates and times is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the application fee; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the East End Arts Council, 133 East Main Street, Riverhead, New York, 11901; Bruce Johnson, Fire Marshal; Ken Testa, P.E. and the Riverhead Police Department.

THE VOTE

Bartunek yes ___ no Sanders yes ___ no

Blass yes ___ no Densieski yes ___ no

Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT THEREFORE DULY ADOPTED

Adopted

6/15/04

TOWN OF RIVERHEAD

Resolution # 542

APPROVES APPLICATION OF MARTHA CLARA VINEYARDS, LLC
("EVERYTHING BUT CHARDONNAY & MERLOT" FESTIVAL)

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, Martha Clara Vineyards, LLC has submitted an application for the purpose of conducting a wine tasting festival entitled, "Everything but Chardonnay & Merlot", to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 6:00 p.m. and 9:00 p.m. on July 10, 2004; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Martha Clara Vineyards, LLC for the purpose of conducting a wine tasting festival entitled, "Everything but Chardonnay & Merlot", to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 6:00 p.m. and 9:00 p.m. on July 10, 2004 is hereby approved; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Martha Clara Vineyards, LLC, Attn: Christine Nowak, 6025 Sound Avenue, Riverhead, New York, 11901; Bruce Johnson, Riverhead Fire Marshal and Chief David Hegermiller, Riverhead Police Department.

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

Adopted

June 15, 2004

TOWN OF RIVERHEAD

Resolution # 543

AUTHORIZES THE ACCOUNTING DEPARTMENT TO MAKE A REFUND OF COMMUNITY PRESERVATION MONEY ERRONEOUSLY PAID

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN BARTUNEK :

WHEREAS, upon written application by the grantor or grantee, the Code of the Town of Riverhead Chapter 14 Section 28.15 entitled "Refunds" authorizes the Town of Riverhead to make a refund of Community Preservation Fund ("CPF") money erroneously paid into the fund by a grantor or grantee; and

WHEREAS, North Star Title Agency, Inc., made a written application (attached hereto) on a form prescribed by the Suffolk County Treasurer for a \$127.20 refund of CPF money erroneously paid; and

WHEREAS, the Town Attorney's Office has researched the CPF refund claim and found the claim to be valid; and

WHEREAS, the Town of Riverhead received said funds from the Suffolk County Clerk.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Accounting Department is hereby directed to refund \$127.20 of CPF money to North Star Title Agency, Inc. upon North Star Title Agency, Inc.'s submission to the Town of Riverhead Accounting Department of a Vendor Application and Town Voucher; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to North Star Title Agency, Inc., 301 East Main Street, Riverhead, New York 11901; The Suffolk County Treasurer's Office; the Accounting Department; the Office of the Supervisor and the Office of the Town Attorney.

THE VOTE

Bartunek <input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Sanders <input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass <input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski <input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
		Cardinale <input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

Town of Riverhead
Community Preservation Fund
Real Estate Transfer Tax
Claim for Refund

For office use only 1172

Name of claimant North Star Title Agency, Inc.		Name of person to contact Patricia A. Judd	Telephone number
Social security number	Employer I.d. number 11-3518898	Address of claimant's representative (number and street or rural route)	
Address of claimant (#number and street or rural route) 301 East Main Street		Name of claimant's representative	
City, village or post office Riverhead	State NY	Zip code 11901	City, village or post office State Zip code
Location of property to be conveyed (list each lot separately; attach additional sheets if necessary)			
Address 16 Little Leaf Court, Wading River, NY 11792			
Address			

If the claimed refund is to be paid to someone other than the grantor or grantee, attach an acknowledged assignment or an affidavit and check this box..... **XX**

Date of transfer
March 20, 2003

Give a full explanation below, including all facts on which your claim is based. Continue on back, if necessary, and submit a copy of all documents necessary to substantiate your claim.

1. Amount of tax paid by claimant.....	1 3,027.20
2. Amount of tax due.....	2 2,900.00
3. Refund requested..... (subtract line 2 from line 1)	3 127.20

The Suffolk County Clerk over charged on the Community Preservation Fund Tax in the amount of \$3,027.20 due to incorrect amount of consideration. The correct amount of consideration is \$295,000.00, not the \$301,360.00. Therefore the CPF Tax amount should be \$2,900.00.

SEE COPIES ATTACHED

(continue on back)

All refund applications must be signed on the back of this form.

I, Patricia A. Judd, the claimant named above, or partner, officer, or other authorized representative of the claimant, do hereby certify that the information contained in this claim is true and correct to the best of my knowledge, and that no prior claim for a refund of the whole or any part of the amount on line 3 has been filed, and that no part has previously been refunded to the claimant.

Patricia A. Judd
Signature

President
Title

6/2/04
Date

Audit report		Approval	Audit and Control
Amount allowed		Approved for payment <i>[Signature]</i>	
Interest start date	Interest	Signature <i>Sean M. Walker</i>	
Total refund		Title <i>DTA</i>	
Examiner	Date	Date <i>6/8/04</i>	

Instructions

When to File

A claim for refund of the real estate transfer tax paid pursuant to Article 31-D of the Tax Law must be filed within two years from the date of payment.

Where to File

Mail your claim to:
Town Supervisor
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

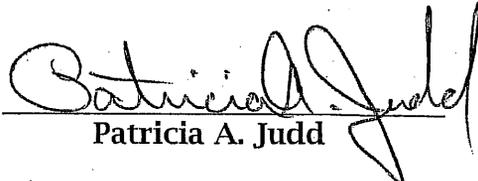
AFFIDAVIT

State of New York)
County of Suffolk)

I, Patricia A. Judd, President of North Star Title Agency, Inc., with offices at 301 East Main Street, Riverhead, hereby certifies that the Suffolk County Clerk overcharged us on the Peconic Bay Region Community Preservation Fund Tax.

The Sales Price of the property that we insured under our File No. 712-S-01195 was \$295,000.00, however the sellers had entered an incorrect amount on the TP-584. The Suffolk County Clerk charged us \$3,027.20 for the 2% Peconic Bay Region Community Preservation Fund Tax on the incorrect amount of \$301,360.00 overcharging us \$127.20. The buyers only paid \$2,900.00.

Therefore I am requesting the refund of \$127.20 for the Peconic Bay Region Community Preservation Fund Tax made payable to North Star Title Agency, Inc. due to the fact that the sellers only paid same based on the sales price of \$295,000.00 and the Suffolk County Clerk charged the Title Company on the \$301,360.00.


Patricia A. Judd

Sworn to before me this 2nd
day of June, 2004


NOTARY PUBLIC

DIANE A. ALLEN
Notary Public, State of New York
No. 01AL6108157
Qualified in Suffolk County
Commission Expires April 12, 2008

AFFIDAVIT

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

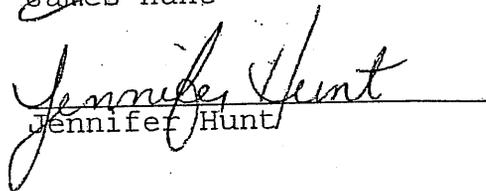
James Hunt and Jennifer Hunt, being duly sworn, depose and say:

1. That we are adult individuals residing at 16 Little Leaf Court, Wading River, NY.
2. That we hereby appoint and authorize North Star Title Agency as our agent to process and receive on our behalf any refund due to an overpayment of the New York State Transfer Tax or the Peconic Bay Region Community Preservation Fund Tax related to the closing of title to our home at 16 Little Leaf Court, Wading River, NY.

Dated: January 21, 2004

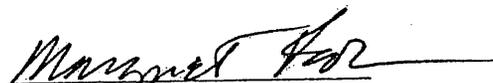


 James Hunt



 Jennifer Hunt

Sworn to before me this
21 day of January 2004.



 Notary Public

MARGARET REDA
 Notary Public, State of New York
 No. 52-3109760
 Qualified in Suffolk County
 Commission Expires 9-30-06

PURCHASE AGREEMENT

1176

Home No. 16

Model TYPE I

Date December 5, 2008

Anticipated Closing Date: _____

Seller: WADING WOODS ASSOCIATION, LLC

Address: 521 Route 111, Hauppauge, New York 11788

Purchaser: JAMES HUNT & JENNIFER HUNT, UX

Home Address: BASS
24 BASS COURT, MANORVILLE, NEW YORK 11949

Residential Telephone Number: 1-516-878-3464

Business Telephone Number: _____

Social Security Number: _____

Purchaser's Attorney/Address/Phone/Fax Number: DAVID PROKOP, ESQ.
131 ROUTE 25A
631-821-1314 FAX: 631-821-1190
ROCKY POINT, NEW YORK 11778

Seller and Purchaser agree as follows:

1) **BASE PRICE** - The purchase price is payable as follows: \$ 295,000.000

Extras (as per attached sheet) \$ ~~6,368.00~~ - 0 -

TOTAL PRICE (payable as follows): \$ ~~301,368.00~~ 295,000

Previously received as a non-binding reservation deposit (where applicable): \$ 500.00

10% % of Purchase Price upon the signing of this agreement, the receipt whereof is hereby acknowledged; \$ ~~30,136.80~~ 500

*** **BINDER IS NON-REFUNDABLE**

** **PURCHASER AGREES TO SIGN CONTRACTS WITHIN TWO (2) WEEKS OF DATE HEREIN.**

* **OFFERING PLAN BOOK GIVEN TO MR. & MRS. HUNT, NO DEPOSIT.**

Certified or bank cashier's check (drawn on a New York Bank payable directly to the order of Seller or Seller's designee on the closing of Title;

\$ 144,000

Loan in said amount, to be procured by the Purchasers in accordance with paragraph 8 herein, the proceeds of which shall be turned over to the Seller.

150,000
\$ 270,724.00

TOTAL

295,000
\$ 301,360.00

Any payment made by check is accepted by Seller subject to collection. If any check tendered is not honored, Purchaser shall provide a certified check or bank cashier's check payable directly to Seller within seventy-two (72) hours after demand for replacement therefor.

Notwithstanding the foregoing, if for any reason whatsoever the check given by Purchaser as the downpayment hereunder is dishonored, Seller shall have the right to cancel this Agreement. Seller's election to cancel shall not be deemed a waiver by Seller of its right to pursue other remedies.

ALL PAYMENTS AT CLOSING ARE TO BE MADE BY GOOD UNENDORSED CERTIFIED CHECK OR BANK CASHIER'S OR OFFICIAL CHECK PAYABLE DIRECTLY TO THE ORDER OF SELLER OR SELLER'S DESIGNEE AND DRAWN ON A BANK WHICH IS A MEMBER OF THE NEW YORK CLEARING HOUSE. UNCERTIFIED CHECKS OF A FUNDING COMPANY OR ATTORNEY'S ESCROW ACCOUNT WILL NOT BE ACCEPTED BY SELLER ON ACCOUNT OF PROCEEDS DUE FROM PURCHASER.

Title to all items of personal property shall be delivered free and clear of all liens and encumbrances, except the lien of the mortgage applied for by Purchasers herein, if any.

All sums paid on account of this Purchase Agreement are hereby made liens upon said premises, but such liens shall not continue after default by the Purchaser under this Purchase Agreement.

2) **DESCRIPTION OF HOME** - Seller shall sell to Purchaser and Purchaser shall buy from Seller a condominium Home model type I known as Home No. #16 (the "Home") together with a 1/36th percent undivided interest in the common elements of the condominium known as Villas at the Horizon Condominium (the "Condominium") as described in the declaration of condominium to be recorded in the Suffolk County Clerk's Office, to be built by Seller on property comprising the Condominium Map (the "Property")

6/15/04

TOWN OF RIVERHEAD

Resolution # 544

**AUTHORIZES THE SUPERVISOR TO EXECUTE A SERVICE AGREEMENT
WITH BARIST ELEVATOR COMPANY, INC.**

COUNCILMAN BARTUNEK offered the following resolution, was seconded
by COUNCILWOMAN BLASS:

WHEREAS, the Town recognizes the importance of continuing the use of the elevator at the Jamesport Community Center; and

WHEREAS, in order to continue the use of said elevator, it must be maintained properly to assure safe operation for the residents of the Town;

NOW, THEREFORE, it is hereby

RESOLVED, that the Supervisor is hereby authorized to execute the attached Service Agreement with Barist Elevator Company, Inc., and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Town Recreation Department, the Office of the Town Attorney and the Office of Accounting.

THE VOTE
Bartunek yes no Sanders yes no
Blass yes no Densieski yes no
Cardinale yes no
**THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED**

Barist Elevator Company, Inc.

1179

MAIN OFFICE • 113F BROOK AVENUE • DEER PARK, NEW YORK 11729
BRANCH OFFICE • 150-17 12th ROAD • WHITESTONE, NEW YORK 11357
(631) 242-5525 • (718) 767-4065 • FAX (631) 242-5519

SERVICE AGREEMENT

BARIST ELEVATOR COMPANY, INC. proposes to furnish elevator maintenance service on the elevator(s) described below:

ADDRESS

Jamesport Community Center
Jamesport Avenue
Jamesport, NY 11947

ELEVATORS

One (1) Hydraulic Passenger Elevator

BARIST ELEVATOR COMPANY, INC. MAINTENANCE

We propose to furnish Barist Elevator Company, Inc. maintenance on the equipment described above. Barist Elevator Company, Inc. Maintenance is a full preventive maintenance service intended to protect your investment, extend equipment life, and provide a high level of performance and reliability.

BARIST MAINTENANCE SERVICE PROGRAM

We will use the preventive maintenance program to deliver service tailored to your specific building needs. Equipment type, component life, equipment usage and building environment will be taken into account by our scheduling system, which will be used to plan maintenance activities in advance. We will use our standard work processes developed and continuously improved by Barist Elevator Company, Inc.

The service will begin on:

May 1, 2004

And will continue for a period of:

 X

One (1) Year

Three (3) Years

Five (5) Years

And will continue from year to year thereafter until terminated. Either party may terminate this agreement at the expiration date or at the end of any subsequent year by giving the other party Ninety (90) Days prior written notice by registered mail. As a condition to cancellation the purchaser must pay all undisputed service charges in full to date of cancellation.

The Monthly Rate Shall Be: \$321.20 Dollars Per Month plus applicable tax for the First Year

The Annual Rate Shall Be: \$3,854.40 Dollars plus applicable tax for the First Year

Payments will be made on a monthly basis payable in advance due on or before the first day of each month beginning on the Commencement Date. ~~The method of payment will be electronic direct debit. To enable us to process direct payments, you agree to provide a copy of a voided check from your business bank account.~~

You agree to pay, in addition to the Contract Price any tax (including but not limited to, sales, use, excise, transfer or similar tax) imposed upon us, our suppliers or you by any existing or future law, statute, court decision, rule or regulation in connection with the performance of the work described, services to be provided or the installation or replacement of any parts or materials by us.



"Serving the needs of the vertical transportation industry since 1974."

You agree to pay a late charge from the date such sums become due of one and one-half percent (1.5%) per month, or the highest legally permitted rate, whichever is less, on any undisputed balance past due for more than thirty (30) days, together with all costs (including, but not limited to reasonable attorneys' fees) incurred by us to collect such undisputed overdue amounts.

Failure to pay any undisputed sum due by you within sixty (60) days will be a material breach. We may at our option declare all sums due or to become due for the unexpired term immediately due and payable as liquidated damages, and until the same are paid Barist Elevator Company, Inc. will be discharged from further obligations under the contract.

All work is to be performed during our regular working hours of 8:00 am to 4:30 pm on our regular working days Monday through Friday excluding holidays. Included in this contract are the following hours of coverage at no charge:

X	Regular Working Hours (Monday through Friday, 8:00 a.m. to 4:30 p.m. excluding 11 holidays.
	24 Hours/7Days a Week for emergency service on complete system failures.
	24 Hours/7Days a week Emergency Telephone Monitoring Service (If applicable)

In the event a device malfunction occurs between regular examinations, our customer service representative will, at your request, dispatch an examiner to perform emergency minor adjustment callback service during our regular working hours on our regular working days.

If overtime examinations, repairs or emergency minor adjustment callback services are later requested by you or your representative, you agree to pay extra for the overtime bonus hours at our regular billing rates.

We will use elevator mechanics directly employed and supervised by us who will use all reasonable care to maintain the elevator equipment in proper and safe operating condition.

SERVICE

We will regularly and systematically service, adjust and lubricate the elevator equipment and if in our professional judgment conditions warrant, repair or replace the following items in accordance with paragraph below entitled **pro-rated parts**:

(Motor parts, controller parts, car door operating mechanisms, hoistway door interlocks and hangers, bottom door guides and auxiliary door closing devices, safety devices, hatchway limit switch(s), guide shoes and gibs and/or roller guides, steel selector tapes or cable and traveling conductor cables; pump parts, strainer and valve body, cylinder head packing, gland packing and hydraulic fluid tanks).

Signal lamps and position indicating equipment will be serviced during our regular service intervals only. We will furnish all necessary lubricants to perform the aforementioned service.

We agree to do all work in compliance with the rules and regulations of Public Administrative Departments having jurisdiction provided that such work/violations are due to normal wear and tear while this maintenance contract is in effect, are not pre-dated from the date this agreement is signed and do not cover any additions, changes to or alter the elevator equipments existing design or its method of operation existing on the date this agreement is signed.

PRO-RATED PARTS**NONE**

Notwithstanding the aforementioned, in order to provide you with the maximum of service from the parts listed above, we are accepting them in their present condition with the understanding that you are to pay, in addition to the base amount of this contract, an extra at the time the items listed are first replaced, if replaced during the term of this contract. The charge for this replacement will be determined by prorating the total cost of replacing the individual items. You are to pay for that portion of the life of the items used prior to the date of this contract and we are to pay for that portion used since the date of this contract.

SPECIFIC EXCEPTIONS

The following of the aforementioned items are specifically exempt from the repair and replacement guarantee: Piston, Cylinder, Oil Line Piping, Hydraulic fluid, Obsolete Equipment For Which Replacement Parts Are No Longer Available, Replacement with parts of a different design or type, Misuse/Abuse of The Elevator Equipment, Modifications, Alterations of Any Kind, New attachments, Water Damage, Power Failure(s), Brown outs, Computer and Microcomputer devices, Machine parts, Rotating elements, Safeties or Compensation equipment of any kind, Proprietary equipment and Any Damages as a Result Of Occurrences Beyond Our Control

GENERAL EXCEPTIONS

This contract does not under any circumstances include any work on or cover any of the following items including but not limited to: Machine room, power feeders, mainline disconnect switches their wiring and fuses, hoistway enclosure, hoistway inserts and brackets, rails or rail alignment, hatchway entrances, hatchway entrance finish, hoistway door checks or hinges, car enclosures, cab, cab fans, cab finish, cab flooring or coverings, cab wall panels, hung ceilings, cab lighting, light tubes or bulbs, emergency lighting and all batteries including those for emergency lowering devices, mirrors, handrails, gate and/or door panels, door/gate pull straps, sills, entrances and finishes, smoke sensors, heat sensors, telephones, intercoms or communication devices or items not specifically mentioned in this contract. This contract does not cover any work or the installation of new attachments recommended or directed by insurance companies, or any work required due to future revisions to the codes and/or regulations by the authorities having jurisdiction.

TESTING/INSPECTIONS

If those elevator units listed are provided with firefighters service are required by code to be tested monthly or however directed by the authorities having jurisdiction, you assume responsibility for performing and keeping a record of such tests.

We will not be required to conduct the five-year rated-load, rated-speed safety tests, or to make any tests other than that as specifically set forth herein.

The following testing and inspections as per code or directed by authorities having jurisdiction are included in this contract:

<u> X </u>	Annual Valve Pressure Tests
<u> X </u>	Semi-Annual Visual Inspections

All testing other than those included in this contract will be performed at an additional charge provided we receive owner signed approval of Barist Elevator Company, Inc. testing proposal.

GENERAL CONDITIONS

No representations are made by us that our service hereunder will or can render the equipment absolutely free from occurrence or re-occurrence at any time of such items as failure of elevator to level off at landings, eccentricities in the operation of hatchway doors or car doors or any other defects not ordinarily revealed by the customary visual inspection and testing methods used by us.

We do not assume any management or control over any part of the equipment except during periods of work when our employees actually take direct charge of the equipment, and such management and control over the elevator equipment remains exclusively with the purchaser.

We shall not be liable for any loss, damage or delay due to any cause beyond our reasonable control including, but not limited to, acts of government, labor disputes, strikes, lockouts, fire, explosion, theft, floods, water, weather, earthquake, riot, civil commotion, war, misuse, abuse, vandalism, malicious mischief or acts of god.

Notwithstanding any other agreement or provision to the contrary, under no circumstances will we be liable for any indirect, special or consequential damages of any kind including, but not limited to, fines or penalties, loss of profits, loss of rents, loss of good will, loss of business opportunity, additional financing costs, or loss of use of any equipment or property, whether in contract, tort, including negligence or otherwise.

Barist Elevator Company, Inc. ("Barist") carries liability insurance against bodily injury or death occurring while Barist's employees are actually engaged in work on the equipment and resulting directly and solely from Barist's negligence. Purchaser agrees to indemnify, defend and hold Barist harmless from and against any liability, claim, damage, loss or expense, including reasonable attorneys' fees, that the company may incur arising out of or in connection with any claim, suit, action or proceeding for personal injury, death or property damage, brought against Barist as a result of its obligations under or the services it provides pursuant to or in connection with this agreement, or in defending any suit, action or other proceeding brought in connection with the above for personal injury, including death at any time resulting therefrom, or property damage caused by accident occurring in, about or on the said equipment, where the company's responsibility is established exclusively by inference pursuant to the doctrine of res ipsa loquitur and without proof of any specific negligent act or omission on the company's part. It is further agreed that the verdict of the jury or any other trier of the facts regarding whether the company's responsibility is based on res ipsa loquitur or otherwise shall be final and binding on the parties to this agreement.

INSURANCE

We carry statutory Workmen's Compensation Insurance in accordance with the laws of the State in which the work is being performed and including Employer's Liability Insurance. We also carry Public Liability Insurance for Bodily Injury and for Property Damage. Such Liability Insurance protects us against property damage, bodily injury or death which may occur while our employees are actually engaged in working on the elevator equipment and are present in or about the equipment and which are directly and solely due to their negligence.

ESCALATION CLAUSE

Contract price shall be adjusted annually in direct proportion due to increase in cost of living or in the straight time hourly rate for elevator mechanics in the locality where the equipment is maintained. The straight time hourly rate for elevator mechanics shall be the actual hourly rate paid to such mechanics, plus fringe benefits which include, but are not limited to, pensions, vacations, paid holidays, group life insurance, sickness and accident insurance and hospitalization insurance.

PURCHASER'S RESPONSIBILITY

The purchaser agrees to maintain the hatchway, pit and machine room in clean condition and to keep the elevator equipment from being exposed to the elements or to physical damage. The purchaser agrees to shut down the equipment immediately upon the manifestation or appearance of any irregularity in operation of the elevator equipment; to notify the company at once, and keep the equipment shut down until the completion of repairs. The purchaser will keep the equipment under observation by personnel competent to detect any such manifestation or appearance of irregularities in operation between periods of the company's inspections. The purchaser will give the company written notice within twenty-four hours after occurrence of any accident in or about the elevators.

SHARED RESPONSIBILITY

You agree to provide us unrestricted ready and safe access to all areas of the building in which any part of the devices are located and to keep all machine rooms and pit areas free from water, stored materials and debris. You agree to provide a safe work place for our personnel, and to remove and remediate any waste or hazardous materials in accordance with applicable laws and regulations.

If any device is malfunctioning or is in a dangerous condition, you agree to immediately notify us using the Barist 24-hour service line. Until the problem is corrected, you agree to remove the device from service and take all necessary precautions to prevent access or use.

You agree to properly post, maintain and preserve any and all instructions or warnings to passengers in connection with the use of any devices.

VALIDITY OF CONTRACT

This contract shall constitute the entire agreement for the service described herein, and all prior representations or agreements not incorporated herein shall become null and void. This contract is not binding upon the **Barist Elevator Company, Inc.** until approved by an authorized representative of said company and is not transferable to any other party without the written approval and permission from the **Barist Elevator Company, Inc.**

Approved for Owner:
Town of Riverhead
Recreation Department 200 Howell Avenue
Riverhead, NY 11901

Approved for:
Barist Elevator Company, Inc.
113F Brook Avenue
Deer Park, New York 11729

By: _____
Type/Print Name

By: Steven Dalvano

Sign: _____
Sign Name

Sign: _____
Authorized Representative

Title: _____
Type/Print Title

Title: Service Manager

Date: _____

Date: May 1, 2004

6/15/04

Tabled

TOWN OF RIVERHEAD

Resolution # 545

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER AN AMENDMENT TO CHAPTER 47 "BAYS AND CREEKS" OF THE RIVERHEAD TOWN CODE (47-1 - DEFINITIONS)

COUNCILWOMAN BLASS _____ offered the following resolution, was seconded by

COUNCILMAN BARTUNEK _____:

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice once in the June 24, 2004 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law amending Chapter 47 entitled, "Bays and Creeks" to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Chief Hegermiller, Riverhead Police Department and the Building Department.

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no

THE RESOLUTION ___ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

Tabled

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at 200 Howell Avenue, Riverhead, New York on the 6th day of July, 2004 at 7:30 o'clock p.m. to consider a local law amending Chapter 47 "Bays and Creeks" of the Riverhead Town Code as follows:

**Chapter 47
Bays and Creeks**

§ 47-1. Definitions.

In this chapter, unless the context requires otherwise, the following terms shall have the meanings indicated:

ENFORCEMENT OFFICER -- A peace officer designated by the Town Board to enforce this chapter, including the Riverhead Police and Riverhead Town Code Enforcement Officers.

Dated: Riverhead, New York
June 15, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

June 15, 2004

Adopted

Town of Riverhead

Resolution # 546

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

COUNCILMAN DENSIESKI offered the following resolution, was seconded by
COUNCILWOMAN BLASS :

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

RESOLVED, that the Accounting Department is directed to pay the sum of \$4,000.00 as a civil penalty to the New York State Department of Environmental Conservation; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Louise DeCandia, NYSDEC Division of Legal Affairs, Region One, Building 40 – SUNY, Stony Brook, New York 11790, Daniel Ruthinowski, the Office of the Supervisor; Kenneth Testa, P.E.; the Office of the Town Attorney and the Office of Accounting.

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

New York State Department of Environmental Conservation
Division of Legal Affairs, Region One

Building 40 - SUNY, Stony Brook, New York 11790-2356

Phone: (631) 444-0260 Direct Line: (631) 444-0264 FAX: (631) 444-0348

Website: www.dec.state.ny.us

1187



Erin M. Crotty
Commissioner

May 5, 2004

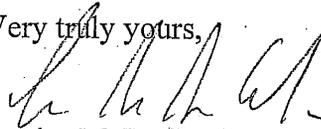
Shaun Walter, Esq.
Deputy Town Attorney
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901

Re: DEC Case No. R1-20020813-232: NYSDEC v. Town of Riverhead and Daniel Ruthoinowski

Dear Mr. Walter:

Pursuant to our discussion earlier today, enclosed please find an order on consent offered by the Department in settlement of the above referenced matter. Please review the order and let me know if it is acceptable by May 17, 2004.

Very truly yours,



Louise M. DeCandia
Assistant Regional Attorney

cc: K.A. Murphy
V. Palmer
P. Angell

**STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

-----X
 In the Matter of the Alleged Violations of Article 33 of the :
 Environmental Conservation Law of the State of New York :
 and Title 6, Part 325 of the Official Compilation of :
 Codes, Rules and Regulations of the State of New York, : **ORDER ON**
 by: : **C O N S E N T**

TOWN OF RIVERHEAD and :
 DANIEL RUTHINOWSKI :

Suffolk County

Respondents

DEC File No.

: **R1-20040205-20**

-----X
 The New York State Department of Environmental Conservation ("DEC", "the Department"), has jurisdiction in all matters pertaining to the distribution, sale, use and transportation of pesticides pursuant to Article 33 of the Environmental Conservation Law ("ECL") and the rules and regulations promulgated thereunder at Title 6 Parts 320 to 329 of the New York Code of Rules and Regulations ("NYCRR").

1. Respondent THE TOWN OF RIVERHEAD is a municipality which has offices at 200 Howell Avenue Riverhead, NY 11901. Respondent DANIEL RUTHINOWSKI is a certified applicator (#C1-818509) and employee of Respondent Town of Riverhead.

First Violation:

2. ECL §§33-0907 and 33-1301(8-a) and 6 NYCRR §325.23 require annual registration of all pesticide agencies and businesses, including the requirement that each business name and location be registered separately.

3. The Department has documented that during the calendar years 2001, 2002 and 2003 Respondent Town of Riverhead caused or allowed the commercial application of pesticides without possessing the required pesticide agency registration.

4. Respondent Town of Riverhead's commercial application of pesticides during the calendar years 2001, 2002 and 2003 without possessing the required pesticide agency registration constitutes violations of ECL §§33-0907 and 33-1301(8-a) and 6 NYCRR §325.23.

Second Violation:

5. ECL §33-1205(1) and 6 NYCRR §325.25 requires that all commercial applicators and pesticide businesses keep true and accurate records in a manner specified by the department showing: the EPA registration number and product name of each pesticide used, quantity of each pesticide used, dosage rates, methods of application, target organisms, date of application and location of application by

address, and the place of application that identifies the exact target site. These records must be maintained on an annual basis and retained for a minimum of three years and must be available for inspection upon request by the department.

6. The Department has documented that during calendar years 2001, 2002 and 2003 Respondents caused or allowed the failure to keep true and accurate records relating to commercial pesticide applications. Specifically, use records relating to applications conducted in 2001, 2002 and 2003 failed to identify dosage rate, target organism and method of application for each pesticide applied.

7. Respondents' failure to keep true and accurate records relating to commercial pesticide applications during the calendar years 2001, 2002 and 2003 constitutes violations of ECL §33-1205(1) and 6 NYCRR §325.25.

Third Violation:

8. 6 NYCRR §325.2(c) requires that all equipment containing pesticides and drawing water from any water source shall have an effective anti-siphon device to prevent backflow.

9. The Department has documented that prior to August 13, 2003 Respondents caused or allowed the failure to equip pesticide application equipment with an effective anti-siphon device to prevent backflow.

10. Respondents' failure to equip pesticide application equipment with an effective anti-siphon device to prevent backflow constitutes violations of 6 NYCRR §325.2(c).

11. ECL Section 71-2907(1) provides that any person who violates any provision of ECL Article 33 or any rule, regulation or order issued thereunder, shall be liable for a **penalty not to exceed five thousand (\$5,000) dollars for a first violation and not to exceed ten thousand (\$10,000) dollars for a subsequent offense.**

12. Respondents affirmatively waive their right to a hearing on this matter as provided by law and consent to the issuing and entering of this Order and agrees to be bound by the provisions, terms and conditions contained herein.

NOW, having considered this matter and being duly advised, it is hereby ORDERED that:

I. PENALTY and REIMBURSEMENT:

Respondent is hereby assessed a civil penalty in the amount of **SIX THOUSAND DOLLARS (\$6,000.00)**, **FOUR THOUSAND DOLLARS (\$4,000)** of which is to be paid upon execution of this Order on Consent by Respondent and **will only be acceptable if it is paid by bank check, certified check or money order made payable to the New York State Department of Environmental Conservation or "NYSDEC". A check that is not a bank check, a certified check or a money order will be returned to the Respondent and this matter will be deemed unresolved.** The remaining **TWO THOUSAND DOLLARS (\$2,000)** is suspended pending full and complete compliance with ECL Article 33 and the rules and regulations promulgated thereunder.

II. SETTLEMENT and RESERVATION OF RIGHTS:

This order settles only claims for civil and administrative penalties concerning the violations described in paragraphs 2 through 10 of this Order and as described in the complaint dated April 1, 2004 against Respondent and its successors and assigns. Nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting any of the civil, administrative, or criminal rights which the Department or the Commissioner or her designee may have following execution of this Order with regard to violations not specified in this Order, including, but not limited to, nor exemplified by, the rights to recover natural resources damages and to exercise any summary abatement powers, or authorities with respect to any party, including Respondent.

III. OTHER OBLIGATIONS:

This Order shall not relieve Respondents of their obligations to comply with all applicable provisions of federal, state or local law.

IV. ENTIRE ORDER:

The provisions of this Order shall constitute the complete and entire Order issued to the Respondent concerning resolution of the violations described in paragraphs 2 through 6 above and as described in the complaint dated April 1, 2004. No term, condition, understanding or agreement purporting to modify or vary any term hereof shall be binding unless made in writing and subscribed by the parties to be bound. No informal oral or written advice, guidance, suggestion or comment by the Department regarding any report, proposal, plan, specification, schedule, permit application, comment or statement made or submitted by Respondents shall be construed as relieving Respondents of their obligations to obtain such formal approvals as may be required by law and or regulation.

V. FUTURE USE OF ORDER:

Nothing in this Order will prevent the Department from requiring Respondents to perform any actions deemed by the Department to be necessary to protect human health or the environment nor from using this Order and the terms and conditions contained herein, in a proceeding to enforce the terms of this Order or in a proceeding by the Department to revoke, suspend, modify any permit, license, registration or certification of Respondents, whether or not citing record of compliance, or in any future proceeding brought by the Department.

VI. EFFECTIVE DATE:

This Order shall not become effective until it is executed by the Regional Director on behalf of the Commissioner and the date of execution by the Regional Director shall be the effective date of this Order.

DATED: Suffolk County, New York

_____, 2004

ERIN CROTTY
Commissioner

By: _____
Peter A. Scully
Director, Region One
New York State
Department of
Environmental Conservation

TO:
Shaun Walter, Esq.
Deputy Town Attorney
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901

CONSENT BY RESPONDENT

Respondent acknowledges the authority and jurisdiction of the Commissioner of the Department of Environmental Conservation of the State of New York to issue the foregoing Order, waives public hearing or other proceedings in this matter, accepts the terms and conditions set forth in this Order and consents to the issuance thereof.

TOWN OF RIVERHEAD

By _____

Name _____

Title _____

STATE OF NEW YORK}

s.s.:

COUNTY OF SUFFOLK}

On this day of 2004, before me personally
 came _____, to me known, who, being duly sworn deposed and
 said that he/she is the _____ of Respondent Town of Riverhead,
 and that he/she signed his/her name for and on behalf of said Respondent with fully authority so to do.

NOTARY PUBLIC

CONSENT BY RESPONDENT

Respondent acknowledges the authority and jurisdiction of the Commissioner of the Department of Environmental Conservation of the State of New York to issue the foregoing Order, waives public hearing or other proceedings in this matter, accepts the terms and conditions set forth in this Order and consents to the issuance thereof.

DANIEL RUTHINOWSKI

Signed: _____

STATE OF NEW YORK}

s.s.:

COUNTY OF SUFFOLK}

On this day of 2004, before me personally
came **DANIEL RUTHINOWSKI**, to me known, to be the individual described in and who executed the
foregoing instrument, and he acknowledged that he executed the same.

NOTARY PUBLIC

Adopted

1194

June 15, 2004

TOWN OF RIVERHEAD

Resolution # 547

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – SPECIAL PERMIT OF C. STARR Y. CORP. (THE BOARDWALK ON MAIN)

COUNCILMAN BARTUNEK

offered the following resolution which

was seconded by

COUNCILWOMAN BLASS

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Maryanne Cox on behalf of C. Starr Y. Corp. (The Boardwalk on Main) pursuant to Section 108-3 and Article XXVIA of the Riverhead Town Code, to conduct indoor and outdoor live entertainment at an existing restaurant on a 0.11 acre parcel zoned Business D located at 65 East Main Street, Riverhead; such property more particularly described as Suffolk County Tax Map Number 0600-128-6-76.1, and

WHEREAS, the Riverhead Town Board by resolution #270 of 2004 declared themselves Lead Agency, and

WHEREAS, the Town Board has referred the application to this Planning Board for its report and recommendation, and

WHEREAS, the Town Board desires to hold a public hearing on this matter at this time, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

RH/PLANNING

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th - day of July, 2004 at 7:35 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special use permit petition of C. Starr Y. Corp. (The Boardwalk on Main) to allow live entertainment associated with a restaurant use upon real property located at New York State Route 25, (Main Street), Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-128-6-76.1.

DATED: June 15, 2004
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

6/15/04

1196
Adopted

TOWN OF RIVERHEAD

Resolution # 548

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 (VEHICLES & TRAFFIC) OF THE RIVERHEAD TOWN CODE (101.10 & 101-18)

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendments of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the June 24, 2004 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Councilperson Barbara Blass; the Highway Department and the Riverhead Police Department.

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION ~~WAS~~ ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of July, 2004 at 7:20 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

**Vehicles and Traffic
Article V
Parking, Standing and Stopping**

§ 101-10. Parking prohibited.

The parking of vehicles is hereby prohibited in the locations as follows:

Name of Street	Side	Location
<u>Center Street</u>	<u>East</u>	<u>Beginning at the south side of the Second Street intersection and thence southerly to an imaginary line 100 feet from and parallel to the northerly side of Front Street at the Front Street intersection with Center Street and thence southerly to the southerly terminus of Green Street</u>
<u>Center Street</u>		<u>Southerly terminus</u>
<u>Front Street</u>	<u>North</u>	<u>From its intersection with the northeasterly corner of Center Street running thence in an easterly direction to a point of the northwesterly corner of Green Street</u>
<u>Front Street</u>		<u>westerly terminus</u>
<u>Green Street</u>	<u>East</u>	<u>Beginning at the south side of Second Street intersection and running thence southerly to the northerly side of the intersection with Front Street</u>

<u>Point Street</u>	<u>East</u>	<u>Beginning at the south side of the Second Street intersection and thence southerly to and including the southerly terminus of Point Street</u>	1198
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<u>So. Jamesport Ave.</u>	<u>East</u>	<u>Beginning at the south side of the Second Street intersection and thence southerly to and including the southerly terminus of South Jamesport Avenue</u>
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<u>West Street</u>	<u>Both</u>	<u>Entire length</u>
--------------------	-------------	----------------------

<u>West Street</u>	<u>East</u>	<u>Beginning at the south side of the Second Street intersection and thence southerly to and including the southerly terminus of West Street</u>
--------------------	-------------	--

<u>Willow Street</u>	<u>East</u>	<u>From its intersection with the southeasterly corner of Front Street running thence in a southerly direction to and including the southerly terminus of Willow Street</u>
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§ 101-18. Seasonal parking ~~prohibited~~ permitted.

A. Notwithstanding § 101-12 and subject to § 101-10, the parking of vehicles displaying a valid parking permit pursuant to §48-13 is hereby ~~prohibited~~ permitted annually from May 15 through September 15 upon the following described streets or portions thereof: ~~except for vehicles of Riverhead residents displaying a valid resident parking permit pursuant to § 48-13:~~

Street	Side	Location
Center Street	<u>Both</u> <u>West</u>	Beginning at the south side of the Second Street intersection and thence southerly to an imaginary line 100 feet from and parallel to the northerly side of Front Street at the Front Street intersection with Center Street and thence southerly to the southerly terminus of Green Street

<u>Front Street</u>	<u>South</u>	<u>Beginning at the south side of Front Street at the Center Street intersection running easterly to the westerly intersection of Green Street</u>
<u>Green Street</u>	<u>West</u>	<u>Beginning at the south side of Second Street intersection and running thence southerly to the northerly side of the intersection with Front Street</u>
Point Street	<u>Both</u> <u>West</u>	Beginning at the south side of the Second Street intersection and thence southerly to the southerly terminus of Point Street
South Jamesport Avenue	<u>Both</u> <u>West</u>	Beginning at the south side of the Second Street intersection and thence southerly to the southerly terminus of South Jamesport Avenue
West Street	<u>Both</u> <u>West</u>	Beginning at the south side of the Second Street intersection and thence southerly to the southerly terminus of West Street
Willow Street	<u>Both</u> <u>West</u>	Beginning at the south side of the Second Street intersection and thence southerly to the southerly terminus of Willow Street

Dated: Riverhead, New York
June 15, 2004

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

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

BARBARA GRATTAN, Town Clerk

Adopted

JUNE 15, 2004

TOWN OF RIVERHEAD

SEASONAL EMPLOYEE DRUG AND ALCOHOL TESTINGRESOLUTION # 549

COUNCILWOMAN SANDERS offered the following resolution,
 which was seconded by Councilman Bartunek.

WHEREAS, on December 1, 2003, the Town adopted a drug and alcohol testing procedure, contained in Article XVII of the 2004-2007 collective bargaining agreement between the Town and CSEA; and

WHEREAS, the procedure is applicable to all CSEA unit members, effective July 1, 2004; and

WHEREAS, the Town employs seasonal employees who are not covered by the CSEA unit but whom the Town desires to have subject to the same drug and alcohol testing procedure;

NOW THEREFORE BE IT RESOLVED, that, effective July 1, 2004, the drug and alcohol testing procedure contained in Article XVII of the 2004-2007 collective bargaining agreement shall be applicable to all seasonal employees of the Town, who are not included in the CSEA unit.

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

THE VOTE

Bartunek Yes NoSanders Yes NoBlass Yes NoDensieski Yes NoCardinale Yes No

Adopted

6/15/04

TOWN OF RIVERHEAD

Resolution # 550

RELEASES PERFORMANCE BONDS (2) IN CONNECTION WITH THE SUBDIVISION ENTITLED, "MEADOWCREST IV AT SETTLERS LANDING" (PARK AND RECREATION FEES & WATER DISTRICT KEY MONEY)

COUNCILMAN BARTUNEK offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, by resolution #388 dated April 17, 2001, the Town Board of the Town of Riverhead accepted Utica Mutual Insurance Company Performance Bond #SU3156753 in the amount of \$115,000.00, representing Water District key money fees and Utica Mutual Insurance Company Performance Bond #SU3156752 in the amount of \$147,000.00, representing park and recreation fees in connection with the subdivision entitled, "Meadowcrest IV at Settlers Landing"; and

WHEREAS, the Riverhead Planning Department has confirmed that all Water District key monies and park and recreation fees have been paid on the lots located in said subdivision and that the security posted for same may now be released.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the aforementioned performance bonds in connection with the subject subdivision; 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., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York 11901; Utica Mutual Insurance Company, 180 Genesee Street, New Hartford, New York, 13413-2200; the Riverhead Building Department; the Riverhead Planning Department; Gary Pendzick, Water District Superintendent and the Office of the Town Attorney.

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Sanders	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION **WAS** **WAS NOT**
THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD

Resolution # 551

ACCEPTS 5% SECURITY BOND OF MILL POND DEVELOPERS, LLC
(BUILDINGS 13 INCLUSIVE THRU 17)

COUNCILWOMAN SANDERS

offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, Mill Pond Developers, LLC has posted a security bond in the sum of One Hundred Three Thousand Five Hundred Seventy Six Dollars (\$103,576) (Selective Insurance Company of America #B199188) representing the 5% site plan security bond as noted in the approved site plan dated March 20, 1990 Resolution #203 and Amended Site Plan approval dated November 2, 1992 Resolution #659 and the approved condominium map known as Section 4 dated September 22, 2003 and filed as map #334 in the Suffolk County Clerks Office for Buildings 13 inclusive thru 17, designated as units 73 thru 100 located at Elton Avenue, Riverhead, New York, Suffolk County Tax Map # 600-109.1-1-73 thru & inclusive of 100 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% security bond in the sum of One Hundred Three Thousand Five Hundred Seventy Six Dollars (\$103,576) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Mill Pond Developers, LLC, PO Box 999, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

6/15/04

Adopted 1203

TOWN OF RIVERHEAD

Resolution # 552

APPROVES APPLICATION OF POLISH TOWN CIVIC ASSOCIATION

COUNCILMAN BARTUNEK offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, the Polish Town Civic Association has submitted an application for the purpose of conducting their annual Polish Town Street Fair and Festival to be held on Pulaski Street, Hamilton Avenue, Osborne Avenue and Lincoln Street, Riverhead, New York, on August 21st and 22nd, 2004 between the hours of 10:00 a.m. and 6:00 p.m.; and

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

WHEREAS, Polish Town Civic Association has requested the application fee in connection with this event to be waived; and

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

NOW THEREFORE BE IT RESOLVED, that the application of the Polish Town Civic Association for the purpose of conducting their annual Polish Town Street Fair and Festival to be held on Pulaski Street, Hamilton Avenue, Osborne Avenue and Lincoln Street, Riverhead, New York, on August 21st and 22nd, 2004 between the hours of 10:00 a.m. and 6:00 p.m., is hereby approved; and be it further

RESOLVED, that the Town Board exempts this event from Chapter 46 (Alcoholic Beverages) of the Riverhead Town Code; and be it further

RESOLVED, that the Town Board hereby waives the application fee in connection with this event; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Polish Town Civic Association, 300 Lincoln Street, Riverhead, New York, 11901; the Riverhead Fire Marshal and the Riverhead Police Department.

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THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

June 15, 2004

STATUS **Adopted** 2004

TOWN OF RIVERHEAD

Resolution # 553

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

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by **COUNCILWOMAN SANDERS**

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

WHEREAS, property located at 608 Elton Street, Riverhead also known as Suffolk County Tax Map Number 0600/109.00-01-014.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Jonathan Parrella, 608 Elton Street, Riverhead, New York 11901 by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2E., the administration fees of \$740.00 and all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Jonathan Parrella, 608 Elton Street, Riverhead, NY 11901; the Building Department, Kenneth Testa, P.E., the Tax Receiver's Office and the Office of the Town Attorney.

THE VOTE

Bartunek Yes No Sanders Yes No

Blass Yes No Densieski Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located at **608 Elton Street, Riverhead, New York**, further described as Suffolk County Tax Map #**0600-109.00-01-014.00**, to be cleaned of all rubbish, refuse and other debris, and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Dated: Riverhead, New York
June 15, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

6/22/04

Adopted

TOWN OF RIVERHEAD

Resolution # 554

APPOINTS A LIFEGUARD LEVEL II TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN BLASS offered the following resolution,
which was seconded by COUNCILMAN BARTUNEK

RESOLVED, that Elissa Fondiller is hereby appointed to serve as a Lifeguard Level II effective June 25, 2004 to and including September 6, 2004, to serve as needed on an at will basis, to be paid at the rate of \$10.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

1

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Sanders	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

**THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED**

¹ Rec. Doris/ Res Lifeguard Elissa Fondiller

June 15, 2004

TOWN OF RIVERHEAD

Resolution # 555

APPROVES SITE PLAN PLAN OF HARTILL CONTRACTING, INC. –
SWEZEY AVENUE

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

WHEREAS, a site plan and elevations were submitted by Martin F. Sendlewski, A.I.A., on behalf of the Hartill Contracting, Inc. to construct four (4) two story attached residential apartments/townhouses and associated site improvements on real property located on the east side of Swezey Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128.00-02.00-011.000; and

WHEREAS, the property lies within a Business D zoning use district, and

WHEREAS, the Planning Department has reviewed the site plan dated May 7, 2004, as prepared by Martin F. Sendlewski, A.I.A. and the elevations dated May 7, 2004, as prepared by Martin F. Sendlewski, A.I.A. and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board, which site plan shall be on record with the Town Clerk; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application and the elevations aforementioned, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; 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 32216 of the Office of the Supervisor of the Town of Riverhead; and;

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Hartill Contracting Company, Inc., the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted pursuant to 6NYCRR Part 617, and

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Martin F. Sendlewski, A.I.A., on behalf of the Hartill Contracting, Inc. to allow the construction of

four (4) two story attached residential apartments/townhouses and associated site improvements on real property located on the east side of Sweezy Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128.00-02.00-011.000, 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 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;
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, Hartill Contracting, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at east side of Sweezy Avenue, Riverhead, 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 Maritn sendlewski, A.I.A., 215 Roanoke Avenue, Riverhead, New York 11901, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Bartunek yes no Sanders yes no *abstain*

Blass yes no Densieski yes no

Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of June, 2004, made by Hartill Contracting, Inc., doing business at 10 Hulse Avenue, Wading River, New York 11792, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

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

June 15th, 2004**Adopted**

TOWN OF RIVERHEAD

Resolution # 556**APPROVES AMENDED SITE PLAN OF LITTLE FLOWER CHILDREN'S SERVICES**

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

WHEREAS, a site plan and elevations were submitted by Little Flower Children's Services, for construction of a respite care cottage and infirmary, upon real property located at North Wading River Road, Wading River, New York 11792, known and designated as Suffolk County Tax Map Number 0600-36-1-p/02; and

WHEREAS, the Riverhead Town Board by Resolution #1275, dated December 2, 2003, did approve the special permit pursuant to 108-133.3 and 108-51A to allow the construction of 15,165 square foot respite care and infirmary building as part of an pre-existing, non-conforming child services facility on a parcel of land zoned Residence A; and

WHEREAS, the Planning Department has reviewed the site plan dated April 16th, 2004, as prepared by Barrett, Bonacci & Van Weele, PC., and elevations dated February 2nd, 2002 as prepared by Ehasz Giacalone Architects, P.C., recommended to the Town Board of the Town of Riverhead that said site plan 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 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 2002-1024 of the Office of the Financial Administrator of the Town of Riverhead; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Little Flower Children's Services for construction of a respite care cottage and infirmary, upon real property located at North Wading River Road, Wading River, New York 11792., site plan dated April 16th, 2004, as prepared by Barrett, Bonacci & Van Weele, P.C. and elevations dated February 2nd, 2002, as prepared by Ehasz Giacalone Architects, P.C., 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 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;
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, Little Flower Children's Services hereby authorizes and

consents to the Town of Riverhead to enter premises at North Wading River Road, Wading River, New York 11792;

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 Petr Danowski, Esq., the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Sanders	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2004, made by Little Flower Children's Services, residing at North Wading River Road, Wading River, New York 11792, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , “Trash, Rubbish and Refuse Disposal,” and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, “No Parking, Handicap Only,” and the universal symbol affixed thereto. Further, by execution and filing of this document, Little Flower Children’s Services hereby authorizes and consents to the Town of Riverhead to enter premises at North Wading River Road, Wading River, New York 11792, 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.

Little Flower Children's
Services of New York

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

AdoptedJune 15th, 2004

TOWN OF RIVERHEAD

Resolution # 557**AMENDS SITE PLAN OF VERTICAL LINE APPAREL II INC.**

COUNCILWOMAN BLASS offered the following resolution,
 which was seconded by **COUNCILMAN DENSIESKI**:

WHEREAS, a site plan was submitted by Martin Sendlewski, AIA, to allow construction a loading dock ramp addition to an existing building upon real property located at Calverton Enterprise Park, 4062-652 Grumman Blvd, Calverton, NY 11933, known and designated as Suffolk County Tax Map Number 0600-135-1-p/o 7.5; and

WHEREAS, the Planning Department has reviewed the site plan dated June 8th, 2004 and prepared by Martin Sendlewski, AIA and elevations prepared by Martin Sendlewski, AIA., dated June 8th, 2004 and has recommended to the Town Board that the site plan be approved ; 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, as well as all other pertinent 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 check number 2004-1779 of the Office of Accounting; and

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

THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Vertical Line Apparel II Inc., the Riverhead Town Board hereby declares itself to be the lead agency

pursuant to 6NYCRR Part 617 and further determines the action to be Type II pursuant to 6NYCRR Part 617.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Martin Sendlewski, AIA, to allow the construction of a loading ramp addition to an existing building, upon real property located at Calverton Enterprise Park, 4062-652 Grumman Blvd, Calverton, New York, site plan dated April 13th, 2004 as prepared by Martin Sendlewski, AIA. and elevations dated April 13th, 2004 as prepared by Martin F. Sendlewski, A.I.A., be and is 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, Vertical Line Apparel II, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at Calverton Enterprise Park, Grumman Blvd, Calverton, New York, to enforce said handicapped parking regulations;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all utilities shall be constructed underground;
12. That pursuant to Section 108-133I 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 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 Martin Sendlewski, AIA, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Sanders	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2004, made by Burman Properties, Declarant:

W I T N E S S E T H:

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, Burman Properties, hereby authorizes and consents to the Town of Riverhead to enter premises at 4062-652, Grumman Blvd, Calverton, New York 11933, 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 utilities shall be constructed underground;
11. That pursuant to Section 108-133I 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 building permit, shall pose 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.

Burman Properties

On the _____ day of _____, 2004, before me personally came _____, to me known and known to be the individual who executed the foregoing instrument; that (s) he is the _____ of certain real property located at _____, subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

6/15/04

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 558

AWARDS PROFESSIONAL SERVICES CONTRACT FOR ARCHEOLOGICAL PHASE 1B INVESTIGATION AT CALVERTON ENTERPRISE PARK RECREATION FACILITIES SITE

COUNCILMAN BARTUNEK offered the following resolution

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Town of Riverhead Community Development Agency received title to 2,900 acres of property from the United States Navy on September 9, 1998; and

WHEREAS, the property had been evaluated by a Phase 1A Archeological Study performed by the United States Navy resulting in a project Agreement between the Town of Riverhead and the New York State Office of Parks, Recreation and Historic Preservation which stipulates that in certain areas of the site, a Phase 1B Archeological review is required; and

WHEREAS, New York State funding in the amount of \$350,000 was obtained for the design and development of a public recreational facility involving 62 acres of property in the north-west portion of the parcel; and

WHEREAS, expenditure of said funding is contingent on an environmental review to include State Historical Preservation Office compliance; and

WHEREAS, the Town of Riverhead was provided with a list of three firms meeting the requirement of 36 CRF 61 as a qualified archeologist to conduct the field testing necessary for a Phase 1B review ; and

WHEREAS, the Town of Riverhead solicited three firms and received two proposals, Hartgen Archeological Associates, Inc. \$32,434.90 and Earth Tech, Inc. \$32,200 and found both to be acceptable.

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes Earth Tech, Inc. to perform the required Phase 1B archeological investigation in accordance with the State Historical Preservation Office requirements.

BE IT FURTHER RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Earth Tech, Inc., One World Financial Center, 25th Floor, New York, NY 10281, Andrea Lohneiss, CDA Director and the Purchasing Department.

THE VOTE
Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no

Z:\Gina\Resolutions\Archeological Phase 1B Investigation.doc

THE RESOLUTION WAS NOT THEREFORE DULY ADOPTED

JUNE 15, 2004

Adopted

TOWN OF RIVERHEAD

APPOINTS RECREATION LEADER TO THE

RIVERHEAD RECREATION DEPARTMENT

RESOLUTION # 559

COUNCILMAN BARTUNEK

_____ offered the following resolution,

which was seconded by COUNCILWOMAN BLASS_____.

RESOLVED, that Joseph Tilton is hereby appointed to serve as a Recreation Leader, effective June 10, 2004 to and including September 13, 2004 to be paid at the rate of \$10.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

Adopted

JUNE 15, 2004

TOWN OF RIVERHEAD**APPOINTS RECREATION LEADER TO THE****RIVERHEAD RECREATION DEPARTMENT****RESOLUTION # 560**

COUNCILWOMAN BLASS offered the following resolution,
 which was seconded by COUNCILMAN BARTUNEK.

RESOLVED, that Nick Sollazzo is hereby appointed to serve as a Recreation Leader, effective June 10, 2004 to and including September 13, 2004 to be paid at the rate of \$10.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTEBartunek Yes NoSanders Yes NoBlass Yes NoDensieski Yes NoCardinale Yes No

TOWN OF RIVERHEAD

Resolution # 561

Adopted

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

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

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

WHEREAS, property located at 20 Chestnut Court, Riverhead, NY 11901, also known as Suffolk County Tax Map Number 0600-84-1-2.26, is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Anita Lismanis Wooten of 20 Chestnut Court, Riverhead, NY 11901

by certified mail, returned receipt requested, hand delivered, and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2E., the administration fees of \$740.00 and all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the property owner; and be it further;

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to; Anita Lismanis Wooten, 20 Chestnut Court, Riverhead, NY 11901, the Building Department, Code Enforcement, the Chief of Police, Engineering Department, the Tax Receiver's Office, the Assessors office, and the Office of the Town Attorney.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

1229

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located 20 Chestnut Court, **Riverhead, New York**, further described as Suffolk County Tax Map # **600-84-1-2.26**, to be cleaned of all rubbish, refuse and other debris, and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Dated: June 15, 2004, Riverhead, New York

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

BARBARA GRATTAN, Town Clerk

Adopted

TOWN OF RIVERHEAD

Resolution # 562

AUTHORIZATION TO RE-PUBLISH ADVERTISEMENT FOR TELEVISION SURVEILLANCE CAMERAS FOR E.P.C.A.L.

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS; the Town Clerk is authorized to publish and post a notice to bidders for TELEVISION SURVEILLANCE CAMERAS FOR E.P.C.A.L. and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the June 24, 2004 issue of the News Review and;

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

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Bartunek Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

NOTICE TO BIDDERS

Sealed bids for the purchase of TELEVISION SURVEILLANCE CAMERAS for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on JULY 2, 2004.

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation BIDS FOR TELEVISION SURVEILLANCE CAMERAS.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

TOWN OF RIVERHEAD

Adopted 1232

Resolution # 563

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 14 ENTITLED, "COMMUNITY PRESERVATION" OF THE RIVERHEAD TOWN CODE

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

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public to consider a local law to amend Chapter 14 entitled, "Community Preservation" of the Riverhead Town Code once in the June 24, 2004 issue of the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Office of the Town Attorney.

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

1233

PLEASE TAKE NOTICE that a public meeting will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 6th day of July, 2004 at 7:40 p.m. o'clock to consider a local law amending Chapter 14 of the Riverhead Town Code entitled, "Community Preservation" as follows:

**Chapter 14
COMMUNITY PRESERVATION**

§ 14-6. Advisory Board established.

A. The Riverhead Community Preservation Fund Advisory Board is hereby established to review and make recommendations on proposed acquisitions of interests in real property using monies [mones] from the fund and to act in an advisory capacity to the Town Board with respect to the administration of the fund. The Riverhead Community Preservation Fund Advisory Board shall be composed of the following two sub-committees:

B. As to agricultural lands and real property that is in use for agricultural production, as those terms are defined in § 44-2 of the Town Code, that may be identified for potential acquisition under this fund, the duties and responsibilities of the Advisory Board shall be effectuated and implemented by the such Board shall consist of those members of the Farmland Preservation Committee as created pursuant to §44-6 of the Town Code.

C. As to all other lands identified for potential acquisition under this fund, the duties and responsibilities of the Advisory Board shall be effectuated and implemented by the members of the Open Space/Park Preserve Committee as created pursuant to § 14-40 of the Town Code.

ARTICLE V

Acquisition and Use of Open Spaces, Parks and Park Preserves

§ 14-37. Definitions.

As used in this article, the following terms shall have the meanings indicated:

OPEN SPACE – Undeveloped and essentially unimproved land that is important to conserve and maintain either for the quality and character of the lives of Town residents or for the preservation of their common heritage.

PARK -- A use of land owned by the town kept for ornament and/or recreation, including but not limited to parks, park preserves, playgrounds, athletic fields, swimming pools, beaches, boardwalks, entrances, approaches and facilities, together with structures and buildings under the

PARK PRESERVE -- Land, owned by the town, found to possess rare or endangered species habitats and/or breeding areas, unique flora or fauna, geological formations, marine wetlands, freshwater wetlands, shorelines or scenic values or any other features that may qualify for recognition or protection.

§ 14-38. Purpose.

The preservation of open space or the dedication of land as a town park preserve shall provide that all or a specified portion of the town land being preserved or dedicated shall be kept forever wild, or in its natural state, or that it may be used only for the purposes specified in this Article. Any lands or interest in real property acquired by the Town as nonagricultural open space shall be eligible for dedication as Town Park Preserve. Due to the nature of a park preserve and its importance to the environmental and economic character of the community, recommendations concerning plans for and use of those designated areas will be made by the Open Space/Park Preserve Committee as hereinafter created by § 48-26.

§ 14-39. Procedure for dedication of land.

- A. The town may dedicate real property, town parklands or a portion of parkland owned by the town to the town park preserve.
- B. The town park preserve may also include lands acquired through philanthropy.
- C. Unless authorized by the Town Board, after mandatory referendum, land owned by the town and dedicated under this Article as open space or as town park preserve shall not be taken or otherwise disposed of, nor shall it be used for any purpose not specified in the ordinance by which the land was preserved as open space or dedicated to the town park preserve.

§ 14-40. Open Space /Park Preserve Committee.

- A. The Town of Riverhead Open Space/ Park Preserve Committee shall consist of five (5) members appointed by the Town Board for staggered two-year terms including representatives from the community at large, the Recreation Committee and Conservation Advisory Council.
- B. The Town of Riverhead Open Space/ Park Preserve Committee shall have the following advisory responsibilities:
 - (1) Identify, review and recommend to the Town Board lands that should be acquired by the Town and preserved as Open Space or incorporated into the Town Park system or dedicated as Town Park Preserve.
 - (2) Develop and recommend for adoption by the Town Board an Open Space Conservation Plan for the utilization, maintenance and management of lands owned or acquired by the Town.

C. The Town of Riverhead Open Space/Park Preserve Committee shall use the following guidelines to classify open space, parklands and park preserves in a fashion which will be¹²³⁵ equally applicable in every frame of reference, since the desired use of and plans for acquired open space and parklands vary:

- (a) Fragile areas: protection of rare or endangered species; shall not have paths, buildings or other man-made uses constructed on said property.
- [1] Research groups, by appointment only, to undertake scientific research: ecology, zoology, geology, botany or other natural science disciplines.
- (b) Preservation areas: nature centers providing outdoor laboratories in ecology, conservation and educational programs shall have guided walks; may cut some selective trails; no large buildings shall be constructed; no collecting of materials.
- (c) Conservation areas: nature centers; may have trails for native plant and wildlife study; may have buildings for interpretive classes; parking facilities may be available on a limited basis; to provide educational and cultural programs.
- (d) Buffer areas: areas between fragile, preservation, conservation areas or separating the park preserve area from active recreation areas or existing zoned land uses.

Dated: Riverhead, New York
June 15, 2004

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

BARBARA GRATTAN, Town Clerk

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

6/15/04

Adopted

TOWN OF RIVERHEAD

Resolution # 564

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 48 ENTITLED, "BEACHES AND RECREATION CENTERS" OF THE RIVERHEAD TOWN CODE

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILWOMAN BLASS

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public to consider a local law to amend Chapter 48 entitled, "Beaches and Recreation Centers" of the Riverhead Town Code once in the June 24, 2004 issue of the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Code Revision Committee; the Bay Constable; Police Chief David Hegermiller and the Recreation Department.

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale ___ yes ___ no

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public meeting will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 6th day of July, 2004 at 7:45 p.m. o'clock to consider a local law amending Chapter 48 of the Riverhead Town Code entitled, "Beaches and Recreation Centers" as follows:

**ARTICLE III
Use of Parks and Park Preserves**

~~§ 48-23. Definitions.~~

~~As used in this article, the following terms shall have the meanings indicated:~~

~~PARK -- A use of land owned by the town kept for ornament and/or recreation, including but not limited to parks, park preserves, playgrounds, athletic fields, swimming pools, beaches, boardwalks, entrances, approaches and facilities, together with structures and buildings under the jurisdiction of the Recreation Department.~~

~~PARK PRESERVE -- Land, owned by the town, found to possess unique flora or fauna, geological formations, marine wetlands, freshwater wetlands, shorelines or~~

~~§ 48-24. Purpose.~~

~~A town park preserve shall provide that all or a specified portion of the town land being dedicated shall be kept forever wild, or in its natural state, or that it may be used only for the purposes specified in this Article. Due to the nature of a park preserve and its importance to the environmental character of the community, decisions concerning plans for and use of those designated areas will be made jointly by both the Recreation Committee and Conservation Advisory Council.~~

~~§ 48-25. Procedure for dedication of land.~~

~~A. -- The town may dedicate real property, town parklands or a portion of parkland owned by the town to the town park preserve.~~

~~B. -- The town park preserve may also include lands acquired through philanthropy.~~

~~C. -- Unless authorized by the Town Board, after mandatory referendum, land owned by the town and dedicated under this Article to the town park preserve shall not be taken or otherwise disposed of, nor shall it be used for any purpose not specified in the ordinance by which the land was dedicated to the town park preserve.~~

~~§ 48-26. Park Preserve Committee.~~

~~A. -- The Town of Riverhead Park Preserve Committee shall be made up from the members of the Recreation Committee and Conservation Advisory Council.~~

~~B. -- The Town of Riverhead Park Preserve Committee shall analyze and evaluate recommendations for the Town Board concerning those areas that should be dedicated park preserves for conservation and preservation. The following are the advisory responsibilities:~~

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preserves for conservation and preservation. The following are the advisory responsibilities:

- (1) — Analyze and recommend master plans for park preserve use, design, development and management to the Town Board.
- (2) — The Town of Riverhead Park Preserve Committee shall use the following guidelines to classify parklands as park preserves in a fashion which will be equally applicable in every frame of reference, since parklands vary:
 - (a) — Fragile areas: protection of rare or endangered species; shall not have paths, buildings or other man-made uses constructed on said property.
 - [1] — Research groups, by appointment only, to undertake scientific research: ecology, zoology, geology, botany or other natural science disciplines.
 - (b) — Preservation areas: nature centers providing outdoor laboratories in ecology, conservation and educational programs shall have guided walks; may cut some selective trails; no large buildings shall be constructed; no collecting of materials.
 - (c) — Conservation areas: nature centers; may have trails for native plant and wildlife study; may have buildings for interpretive classes; parking facilities may be available on a limited basis; to provide educational and cultural programs.
 - (d) — Buffer areas: areas between fragile, preservation, conservation areas or separating the park preserve area from active recreation areas or existing zoned land uses.

Dated: Riverhead, New York
June 15, 2004

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

BARBARA GRATTAN, Town Clerk

- Overstrike represents deletion(s)

JUNE 15, 2004

Adopted

TOWN OF RIVERHEAD

RATIFIES THE PUBLICATION OF A HELP WANTED AD FOR AN ACCOUNT CLERK TYPIST

RESOLUTION # 565

COUNCILWOMAN BLASS

_____ offered the following

resolution, which was seconded by _____

COUNCILMAN BARTUNEK

BE IT RESOLVED, that the Town Clerk was directed to publish the attached Help Wanted Ad in the June 10, 2004 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

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

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 June 18, 2004. EOE

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

TOWN OF RIVERHEAD

AWARDS BID FOR PUMP OUT BOAT

Adopted

RESOLUTION # 566

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

WHEREAS, the Town Clerk was authorized to publish and post a notice for sealed bids for 23 FOOT PUMP OUT BOAT and;

WHEREAS, 1 bid was received and opened the April 22, 2004, at 11:05 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW, THEREFORE, BE IT RESOLVED, that the bid for 23 FOOT PUMP OUT BOAT be and hereby is, awarded to Marine Boatbuilders Co. for \$59,000.00;

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Community Development and Purchasing Department.

THE VOTE

Bartunek [X] Yes [] No

Sanders [X] Yes [] No

Blass [X] Yes [] No

Densieski [X] Yes [] No

Cardinale [X] Yes [] No

The Resolution Was [X] Was Not [] Thereupon Duly Declared Adopted

Adopted

6/15/04

TOWN OF RIVERHEAD

Resolution # 567

APPROVES APPLICATION OF MARTHA CLARA VINEYARDS, LLC
(WEDDING - PUTNEY/MACKLER)

Councilwoman Blass offered the following resolution, was seconded by

Councilman Bartunek :

WHEREAS, Martha Clara Vineyards, LLC has submitted an application for the purpose of conducting a Wedding to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 4:00 p.m. and 10:00 p.m. on June 19, 2004; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Martha Clara Vineyards, LLC for the purpose of conducting a Wedding to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 4:00 p.m. and 10:00 p.m. on June 19, 2004 is hereby approved; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Martha Clara Vineyards, LLC, Attn: Christine Nowak, 6025 Sound Avenue, Riverhead, New York, 11901; Bruce Johnson, Riverhead Fire Marshal and Chief David Hegermiller, Riverhead Police Department.

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Sanders	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

RESOLUTION # 568 ABSTRACT #24-04 JUNE 03, 2004 (TBM 06/15/04)

Councilman Domsuski offered the following Resolution which was seconded by *Councilman Bartunek*.

FUND NAME		CD - 05/28/04	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	6,650,000.00	\$ 48,850.07	\$ 6,698,850.07
POLICE ATHLETIC LEAGUE	4	14,000.00		\$ 14,000.00
TEEN CENTER FUND	5	5,000.00	\$ 182.50	\$ 5,182.50
RECREATION PROGRAM FUND	6	128,000.00	\$ 5,728.59	\$ 133,728.59
CHILD CARE CENTER BUILDING F	9	36,000.00	\$ 55.97	\$ 36,055.97
TOWN BOARD SPECIAL PROGRAM	24	50,000.00	\$ 1,220.00	\$ 51,220.00
COMMUNITY P.E.T.S. SHELTER	28	8,000.00		\$ 8,000.00
ECONOMIC DEVELOPMENT ZONE	30	0.00	\$ 132.37	\$ 132.37
HIGHWAY FUND	111	1,050,000.00	\$ 55,448.42	\$ 1,105,448.42
WATER DISTRICT	112	1,200,000.00	\$ 39,446.20	\$ 1,239,446.20
REPAIR & MAINTENANCE	113	695,000.00		\$ 695,000.00
RIVERHEAD SEWER DISTRICT	114	2,200,000.00	\$ 7,735.58	\$ 2,207,735.58
REFUSE & GARBAGE COLLECTION	115	150,000.00	\$ 1,482.50	\$ 151,482.50
STREET LIGHTING DISTRICT	116	225,000.00	\$ 1,955.81	\$ 226,955.81
PUBLIC PARKING	117	70,000.00		\$ 70,000.00
BUSINESS IMPROVEMENT DIST	118	10,000.00		\$ 10,000.00
AMBULANCE DISTRICT	120	130,000.00	\$ 935.53	\$ 130,935.53
EAST CREEK DOCKING FACILITY	122	0.00	\$ 4,612.37	\$ 4,612.37
CALVERTON SEWER DISTRICT	124	310,000.00	\$ 277.66	\$ 310,277.66
RIVERHEAD SCAVANGER WASTE	128	50,000.00	\$ 2,527.27	\$ 52,527.27
SEWER DISTRICT FUND	130	20,000.00		\$ 20,000.00
WORKERS' COMPENSATION FUND	173	1,050,000.00	\$ 14,028.12	\$ 1,064,028.12
RISK RETENTION FUND	175	825,000.00	\$ 60,644.74	\$ 885,644.74
UNEMPLOYMENT INS FUND	176	16,000.00		\$ 16,000.00
PUBLIC PARKING DEBT	381	28,000.00		\$ 28,000.00
SEWER DISTRICTS DEBT SERVICE	382	650,000.00	\$ 6,262.43	\$ 656,262.43
WATER DISTRICT DEBT SERVICE	383	0.00	\$ 388,786.59	\$ 388,786.59
GENERAL FUND DEBT SERVICE	384	6,400,000.00	\$ 394,460.98	\$ 6,794,460.98
SCAVANGER WASTE DEBT	385	185,000.00		\$ 185,000.00
TOWN HALL CAPITAL PROJECTS	406	8,751,000.00	\$ 2,007,547.92	\$ 10,758,547.92
CHIPS (80051)	451	120,000.00		\$ 120,000.00
MUNICIPAL FUEL FUND	625	110,000.00	\$ 1,265.91	\$ 111,265.91
MUNICIPAL GARAGE FUND	626	0.00	\$ 6,882.34	\$ 6,882.34
TRUST & AGENCY	735	0.00	\$ 6,928,090.25	\$ 6,928,090.25
SPECIAL TRUST	736	770,000.00		\$ 770,000.00
COMMUNITY PRESERV. FUND	737	1,150,000.00		\$ 1,150,000.00
CALVERTON PARK - C.D.A.	914	1,475,000.00	\$ 542.50	\$ 1,475,542.50
		0.00		
TOTAL ALL FUNDS		0.00		
TOTALS		34,531,000.00	\$ 9,979,102.62	\$ 44,510,102.62

THE VOTE

Bartunek yes no Sanders yes no
 Class yes no Dennis yes no
 Class yes no Cardinale yes no
 THE RESOLUTION WAS PASSED UNANIMOUSLY
 THEREFORE ONLY ADOPTED

Adopted

RESOLUTION # <u>568</u> ABSTRACT #25-04 JUNE 10, 2004 (TBM 06/15/04)				
<u>Councilman Densiecki</u> offered the following Resolution which was seconded by <u>Councilman Detteneh</u> .				
FUND NAME		CD - 05/28/04	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	0.00	629,446.58	\$ 629,446.58
RECREATION PROGRAM FUND	6	0.00	1,388.00	\$ 1,388.00
NUTRITION SITE COUNCIL FUND	7	0.00	89	\$ 89.00
SENIOR CITIZEN DAY CARE CENTER	27	0.00	2,089.06	\$ 2,089.06
ECONOMIC DEVELOPMENT ZONE FU	30	0.00	2,758.64	\$ 2,758.64
HIGHWAY FUND	111	0.00	143,686.50	\$ 143,686.50
WATER DISTRICT	112	0.00	85,424.14	\$ 85,424.14
RIVERHEAD SEWER DISTRICT	114	0.00	52,090.18	\$ 52,090.18
REFUSE & GARBAGE COLLECTION D	115	0.00	5,748.62	\$ 5,748.62
STREET LIGHTING DISTRICT	116	0.00	6,472.37	\$ 6,472.37
PUBLIC PARKING DISTRICT	117	0.00	4,592.04	\$ 4,592.04
BUSINESS IMPROVEMENT DISTRICT	118	0.00	2.86	\$ 2.86
AMBULANCE DISTRICT	120	0.00	727.11	\$ 727.11
CALVERTON SEWER DISTRICT	124	0.00	673.83	\$ 673.83
RIVERHEAD SCAVANGER WASTE DIS	128	0.00	21,830.49	\$ 21,830.49
WORKERS' COMPENSATION FUND	173	0.00	3,505.96	\$ 3,505.96
RISK RETENTION FUND	175	0.00	2,010.69	\$ 2,010.69
CDBG CONSORTIUM ACOUNT	181	0.00	20,918.11	\$ 20,918.11
TOWN HALL CAPITAL PROJECTS	406	0.00	28,385.56	\$ 28,385.56
YOUTH SERVICES CAP PROJECT	452	0.00	2,241.77	\$ 2,241.77
SENIORS HELP SENIORS CAP PROJE	453	0.00	3,101.46	\$ 3,101.46
EISEP CAP PROJECT	454	0.00	223.14	\$ 223.14
MUNICIPAL FUEL FUND	625	0.00	3.82	\$ 3.82
MUNICIPAL GARAGE FUND	626	0.00	26,948.03	\$ 26,948.03
TRUST & AGENCY	735	0.00	7,698,748.44	\$ 7,698,748.44
CALVERTON PARK - C.D.A.	914	0.00	2,336.00	\$ 2,336.00
		0.00		\$ -
TOTALS		0.00	\$ 8,745,442.40	\$ 8,745,442.40