

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

October 4th, 2005

**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**

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:

- #17 Declares Lead Agency and determines significance of designation of Culinary Arts Riverhead, LLC
- #18 A Resolution calling a public hearing on the Agency's Designation of Culinary Arts Riverhead, LLC., as a qualified and eligible sponsor for the purchase and development of the property formerly assembled and conveyed to Swezey-Riverhead Holding, LLC and for the Redevelopment of the Property for use by the Suffolk County Community College as a Culinary School
- #19 Authorizes the Chairman to execute a license agreement with Rock the Mohawk Entertainment, Inc.

REGULAR TOWN BOARD MEETING:

- #937 General Fund Budget Adjustment
- #938 Community Preservation Fund Budget Adjustment
- #939 Municipal Fuel Fund Budget Adjustment
- #940 '04 WR Creek Pkwy & Boat Ramp Imp. Budget Adjustment
- #941 Recreation Program Fund Budget Adjustment
- #942 Residential Rehab Loan Program Budget Adjustment
- #943 Authorizes Town Supervisor to Execute Change Order for Court Street Municipal Parking Facility Improvements
- #944 Authorizes Town Supervisor to Execute Change Order No. 2 for Wading River Creek Boat Ramp Facility at Creek Road Improvement Project
- #945 Classifies Action, Declares Lead Agency and Determines Significance of Action on Site Plan of F1 Long Island Sports Facility
- #946 Resolution and Consent Approving the Dedication of Highways known as Fairway Drive, Eagle Road and Birdie Court (Sound Breeze- Section 6)

- #947 Resolution and Consent Approving the Dedication of Highways known as Fairway Drive, Par Court and recharge Basin (Sound Breeze- Section 5)
- #948 Grants Excavation Permit as Provided by Chapter 62 to T.R.W. Realty LLC
- #949 Approves Amended Site Plan of T.R.W. Realty Corp. a/k/a Riverhead Auto Mall
- #950 Approves Site Plan of Nextel of New York, Inc. d/b/a Nextel Communications
- #951 Approves Site Plan of Main Road Associates d/b/a Stoves & Stone, LTD
- #952 Authorizes the Release of a Bond for Applebee's Restaurant- Sindrome Construction, Inc.
- #953 Authorizes the Release of a Bond for Maximum Motor Sports, LLC
- #954 Authorizes the Release of Security for Jay Tranchina- T-Jay's Transmissions, Inc,
- #955 Authorizes the Release of Security for OC Riverhead 58-Applebee's
- #956 Authorizes the Release of Security for Roanoke Realty Enterprises, LLC
- #957 Approves Chapter 90 Application of Church of the Harvest
- #958 Approves Chapter 90 Application of St. John's the Evangelist R.C. Church
- #959 Ratifies the Appointment of a Recreation Specialist to the Riverhead Recreation Department (L. Carlisle)
- #960 Appoints Provisional Justice Court Director in the Justice Court (I. Alexander)
- #961 Appoints Provisional Account Clerk Typist in the Office of the Tax receiver (L. Zaneski)

- #962 Promotion to Senior Administrative Assistant (M. Andruszkiewicz)
- #963 Promotion to Senior Administrative Assistant in the Highway Department (Susan Beal)
- #964 Authorizes the Attendance of One Police Officer to the New York Highway Safety Conference
- #965 Authorizes the Attendance of Two Police Officers to the Baker Batshield Course
- #966 Approves the Attendance at Empire Development Zone Conference
- #967 Approves Request for Military Leave (F. Ligon)
- #968 Ratify the Authorization to Publish and Post a Help Wanted Ad for the Position of Maintenance Mechanic II
- #969 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 (101-7)
- #970 Authorizes Town Clerk to Publish and Post Notice for Public Hearing Regarding Community Development Block grant (CDBG) Funds
- #971 Corrects Dates for Town Board Resolution No. 919 of 2005- Authorizes Town Clerk to Publish and Post Attached Notice to Bidders for Two Bears Park-Playground Equipment
- #972 Authorizes the Town Clerk to Publish and Post Advertisement for Bids on Construction and Demolition Containers
- #973 Authorizes Town Clerk to Publish and Post Notice to Bidders for the Annual Asphalt Contract
- #974 Awards Bid for George Young Community Center Wood Floor Replacement
- #975 Rejects Bid for Solid Waste Disposal and Services for Use by the Town of Riverhead

- #976 Ratifies to Republish Advertisement for Solid Waste and Disposal Services for Use by the Town of Riverhead
- #977 Authorization to Republish Advertisement for Propane
- #978 Authorization to Republish Advertisement for the Purchase of Food for Use by the Town of Riverhead
- #979 Authorization to Republish Advertisement for the Purchase of Meat & Poultry for use by the Town of Riverhead
- #980 Authorization to Republish Advertisement for the Purchase of Diesel Fuel for Use by the Town of Riverhead
- #981 Authorization to Republish Advertisement for the Purchase of Heating Fuel for Use by the Town of Riverhead
- #982 Ratifies the Submission of a Grant Modification to the United States Department of Justice
- #983 Ratifies the Submission of a Grant Modification to the United States Department of Justice
- #984 Establishes the Small Business Advisory Committee and Appoints Members
- #985 Authorizes the Supervisor to Execute a Stipulation of Settlement and General Releases with Gary U.S. Bonds
- #986 Pays Bills

10/4/05

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY
RESOLUTION # 17

Adopted

DECLARES LEAD AGENCY AND DETERMINES ENVIRONMENTAL SIGNIFICANCE OF THE DESIGNATION OF CULINARY ARTS RIVERHEAD, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR PURSUANT TO THE NEW YORK STATE URBAN RENEWAL LAW.

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

WHEREAS, the Town of Riverhead Community Development Agency has acquired and assembled four (4) parcels located at East Main Street, Riverhead for improvements pursuant to the East Main Street Urban Renewal Plan, and

WHEREAS, the Community Development Agency desires to hold a public hearing upon the designation of the Culinary Arts Riverhead, LLC as a qualified and eligible sponsor pursuant to the Urban Renewal Law, and

WHEREAS, an environmental assessment form has been completed together with a SEQR report by the Town Planning Department which recommends that the action be considered unlisted without a significant adverse impact upon the environment and that an environmental impact statement need not be prepared, now

THEREFORE BE IT RESOLVED, that in the matter of designation of Culinary Arts Riverhead, LLC as a qualified and eligible sponsor, the Riverhead Community Development Agency hereby declares itself to be the lead agency pursuant to 6NYCRR Part 617 and further determines the action to be unlisted without significant adverse impacts to either the natural or social environment and that an environmental impact Statement need not be prepared, and

BE IT FURTHER RESOLVED, that the Riverhead Planning Department be directed to publish and post those notices of Negative Declaration as required by 6NYCRR Part 617, and

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Planning Department, The Community Development Agency, the Town Attorney and Frank Isler, Esq.

The Vote

George Bartunek	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Rose Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Barbara Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Edward Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Phil Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

Adopted

At a meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on October 4, 2005 at 7:00 o'clock P.M., Prevailing Time.

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

PRESENT:

Chairman Philip J. Cardinale
Member Rose Sanders
Member Barbara Blass
Member Edward Densieski
Member George Bartunek

ABSENT:

COUNCILMAN DENSIESKI

The following resolution was offered by Member _____ who moved its adoption, seconded by Member **COUNCILWOMAN BLASS**, to-wit:

Resolution Dated October 4, 2005.

Town of Riverhead
Community Development Agency

Resolution # 18

A RESOLUTION CALLING A PUBLIC HEARING ON THE AGENCY'S DESIGNATION OF CULINARY ARTS RIVERHEAD, LLC., AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE PURCHASE AND DEVELOPMENT OF THE PROPERTY FORMERLY ASSEMBLED AND CONVEYED TO SWEZEY-RIVERHEAD HOLDING LLC AND FOR THE REDEVELOPMENT OF THE PROPERTY FOR USE BY THE SUFFOLK COUNTY COMMUNITY COLLEGE AS A CULINARY SCHOOL

WHEREAS, the Town of Riverhead Community Development Agency (the "Agency") had acquired and assembled, in conformity with the East Main Street Urban Renewal Plan adopted by this Board on October 19, 1993, the following four properties located on East Main Street and Roanoke Avenue in the Town of Riverhead for transfer to Swezey-Riverhead Holding LLC in connection with a proposed urban renewal project known as the "Swezey's Project":

1. property formally known as 14 East Main Street,
SCTM 0600-128.00-06.00-53.000
2. property formally known as part of the Riverhead
Parking District No. 1
SCTM 0600-128.00-06.00-66.003 (formerly part of 66.001)
3. property formally known as the Rimland Building
0600-128.00-06.00-50.001
4. property formally known as the Suburban Furniture Building
0600-128.00-06.00-51.000; (hereinafter collectively referred to as "the Property") and

WHEREAS, Swezey-Riverhead Holding LLC failed to construct the proposed urban renewal project on the Property; and

WHEREAS, Swezey-Riverhead Holding LLC has entered into a contract of sale to convey title to the Property together with other property owned by Swezey-Riverhead Holding LLC to Culinary Arts Riverhead LLC, for the purpose of constructing a 20,000 square foot building to be leased to the Suffolk County Community College for use as a culinary school;

WHEREAS, Sections 556(2), 507(2)(c) and (d) and 968(b) of the General Municipal Law require that a public hearing, following at least ten (10) days public notice, be held by the

Agency on the question of designating Culinary Arts Riverhead LLC the Sponsor for the redevelopment of the Property; and

WHEREAS, by Resolution # 17 dated October 4, 2005, the Agency, pursuant to Article 8 of the Environmental Conservation Law (SEQRA), declared itself "lead agency," in the matter of designating Culinary Arts Riverhead LLC as a Qualified and Eligible sponsor for the redevelopment of the Property for the purpose of constructing a 20,000 square foot building to be leased to the Suffolk County Community College for use as a culinary school and determined such designation to be an unlisted action which will not have a significant environmental impact and that a Draft Environmental Impact Statement need not be prepared; and

WHEREAS, the Agency now desires to call a public hearing on the designation of Culinary Arts Riverhead LLC as a Qualified and Eligible sponsor for the redevelopment of the Property for the purpose of constructing a 20,000 square foot building to be leased to the Suffolk County Community College for use as a culinary school; and

WHEREAS, a majority of the Town Board of the Town of Riverhead, acting as Members of the Agency, will attend such public hearing, **NOW**

THEREFORE, BE IT RESOLVED, by the Members of the Agency, as follows:

Section 1. A public hearing will be held at Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York in said Town on October 18, 2005 at 7:20 P.M., Prevailing Time, on the question of designating Culinary Arts Riverhead LLC, the Sponsor for the redevelopment of the Property in conformity with the East Main Street Urban Renewal Plan adopted by this Board on October 19, 1993 , for the purpose of constructing a 20,000 square foot building to be leased to the Suffolk County Community College for use as a culinary school and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Secretary of the Agency is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the *Traveler-Watchman*, the newspaper hereby designated as the official newspaper for this purpose and one having general circulation in, and available to residents of, the Town, such publication to be made not less than ten (10) days before the date designated for the hearing. The Secretary is hereby further authorized and directed to cause a copy of such Notice of Public Hearing to be posted in such places as she deems appropriate under the circumstances, such posting to be done not less than ten (10) days before the date designated for the hearing.

Section 3. The Notice of Public Hearing shall be in substantially the form attached:

NOTICE OF PUBLIC HEARING

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK

NOTICE IS HEREBY GIVEN that the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York (the "Agency"), will meet at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on October 18, 2005 at 7:20 P.M., Prevailing Time, for the purpose of conducting a public hearing on whether Culinary Arts Riverhead LLC should be designated the "qualified and eligible sponsor" for the redevelopment of the following four properties located on East Main Street and Roanoke Avenue in the Town of Riverhead: property formally known as 14 East Main Street (SCTM 0600-128.00-06.00-53.000); property formally part of the Riverhead Parking District No. 1 (SCTM 0600-128.00-06.00-66.003); property formally known as the Rimland Building (SCTM 0600-128.00-06.00-50.001) and property formally known as the Suburban Furniture Building 0600-128.00-06.00-51.000; (hereinafter collectively referred to as "the Property") that had been acquired and assembled by the Agency for transfer to Swezey-Riverhead Holding LLC in connection with a proposed urban renewal project known as the "Swezey's Project" and in conformity with the East Main Street Urban Renewal Plan adopted by the Town Board of the Town of Riverhead on October 19, 1993.

The Riverhead Town Board, pursuant to SEQRA, declared itself "lead agency", by Resolution dated October 4, 2005, for the designation of Culinary Arts Riverhead LLC as a Qualified and Eligible sponsor for the redevelopment of the Property for the purpose of constructing a 20,000 square foot building to be leased to the Suffolk County Community College for use as a culinary school and determined such designation to be an unlisted action which will not have a significant environmental impact and that a Draft Environmental Impact Statement need not be prepared.

At said public hearing the Members of the Agency will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
October 4, 2005

BY ORDER OF THE MEMBERS OF THE TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY, TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

By: _____
Andrea H. Lohneiss
Secretary

Section 4. This resolution shall take effect immediately.

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

The Vote:

Member Bartunek _____
Member Sanders _____
Member Blass _____
Member Densieski _____
Chairman Cardinale _____

The Resolution is ADOPTED.

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

10/04/05

Adopted

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

Resolution # 19

**AUTHORIZES THE CHAIRMAN TO EXECUTE A LICENSE AGREEMENT
WITH ROCK THE MOHAWK ENTERTAINMENT, INC.,**

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

WHEREAS, Rock The Mohawk Entertainment, Inc., wishes to film a Car Jump Stunt on a portion of the 7000 foot runway located at Calverton Enterprise Park on October 5, 2005; and

WHEREAS, the Town of Riverhead Community Development Agency wishes to grant Rock The Mohawk Entertainment, Inc. the right to film said stunt;

NOW, THEREFORE, it is hereby

RESOLVED, that the Chairman is hereby authorized to execute the attached License Agreement with Rock The Mohawk Entertainment, Inc. for use of the a portion of the 7000 foot runway located at Calverton Enterprise Park on October 5, 2005; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Rock The Mohawk Entertainment, Inc. at 8981 Sunset Blvd., Suite 102, Los Angeles, CA 90069 Attention: Robb Earnest, Production Manager, the Office of the Town Attorney, the Community Development Director, the Town Financial Administrator, Police Chief of the Riverhead Town Police Department, the Fire Marshal and the Town Engineer.

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

LICENSE AGREEMENT

This Agreement is made and entered into as of this 3rd day of October 2005, by and between **Riverhead Community Development Agency**, a public instrumentality of the Town of Riverhead, County of Suffolk, New York ("CDA"), and **Rock The Mohawk Entertainment, Inc.**, a corporation having an address at: 8981 Sunset Blvd., Suite 102, Los Angeles, CA 90069 Attention: Robb Earnest, Production Manager ("Licensee").:

WHEREAS, LICENSEE is in the business of film production; and

WHEREAS, CDA controls approximately 2,000 acres of land in Calverton, New York, commonly known as Calverton Enterprise Park, which land is more particularly described on the attached Exhibit A; and

WHEREAS, LICENSEE desires to film a Car Jump Stunt on a portion of the 7000 foot runway located at Calverton Enterprise Park ("the Property") on October 5, 2005 (the "Event"); and

WHEREAS, LICENSEE and CDA have agreed to terms under which LICENSEE will be granted the use of a portion of the 7000 foot runway at the Property;

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties agree as follows:

1. Use of Property: CDA hereby grants LICENSEE a License providing

LICENSEE with temporary use of the Property depicted on the attached Exhibit A, upon the terms and conditions set forth hereunder. This License will provide LICENSEE its employees, representatives, and agents access to the Property on October 4, 2005 to set up the stunt from 10 a.m. to 6 p.m. and on October 5, 2005 to shoot the stunt from 10 a.m. until 6 p.m.

2. Compliance With Laws: LICENSEE will at all times comply with all applicable federal, state, county and municipal laws, regulations, ordinances, codes and restrictions, including, without limitation, compliance with Article 28 of the New York State Tax Law and applicable regulations thereunder, and will secure any and all permits or licenses required for its activities and operations carried out at the Property.

3. Compensation: In exchange for License set forth above for the use of the Property, LICENSEE will pay CDA a fee in the amount of \$3,000.00 by certified check for 2 days use of the facility (the "Fee") payable on or before October 3, 2005.

4. Responsibilities of LICENSEE: Subject to the terms of this Agreement, LICENSEE will be responsible for carrying out and shall have exclusive control of all operations associated with the Event and related activities, including without limitation, provision of emergency medical services, lay-out and administration, and operation of sanitary facilities. Following the Event, LICENSEE will promptly commence garbage and rubbish removal and cleanup (hereafter, "the cleanup") and shall diligently and continuously engage in such cleanup efforts so that the cleanup will be accomplished as before departing the property on October 5, 2005. Buildings, facilities and

grounds will be restored to the condition that existed prior to the Event (hereafter, the "restoration") and be clean and free of clutter and debris. LICENSEE will remove all refuse, rubble, garbage and debris created by the Event or LICENSEE's activities at the Property and dispose of the same in at an appropriate waste facility off site.

5. Insurance and Indemnification: LICENSEE will be responsible for providing comprehensive general liability insurance as evidenced by the attached certificates of insurance. [In addition, LICENSEE will provide casualty insurance on the buildings, structures, equipment and facilities within the Property at their full replacement cost.] LICENSEE shall provide certificates of the foregoing insurance, showing CDA as additional insured to the extent of its interest. Finally, LICENSEE agrees to indemnify and hold CDA, the Town of Riverhead and their respective officers, employees, agents, representatives and officials of and from any and all loss or liability associated with the Event and related activities described herein, including liability for damages to property or for injuries or death to persons which may arise from, or be attributable or incident to the use by LICENSEE and its employees, agents, representatives and of the Property, excepting liability solely caused by the gross negligence of CDA or its employees, agents or representatives. Without limiting the generality of the foregoing, LICENSEE agrees to indemnify and hold CDA harmless from any lien claimed or asserted for labor, materials or services furnished to LICENSEE in connection with the event. With respect to any suit or claim by CDA, whether under this indemnification provision or otherwise, LICENSEE, for itself, its agents, employees and representatives, hereby expressly waives any defense which might preclude or limit either enforcement of this

indemnification clause or any reasonable attorney's fees incurred by CDA in securing compliance with the provision of this indemnification agreement.

6. Miscellaneous Responsibilities of LICENSEE: Except with respect to any specific services, equipment and facilities to be provided by CDA under this Agreement, LICENSEE will be responsible for acquiring all services and materials and otherwise for carrying out all actions necessary for the Event and related activities to take place, including, but not limited to, all planning, marketing, promotions, sponsorship, operations, concessions, garbage removal, cleanup, construction and demolition or removal of all temporary structures, development and removal of systems to deliver adequate supplies of potable water, portable toilets, systems for removal of wastewater, ticketing, security, emergency medical service, traffic control, electrical power and communications. LICENSEE will obtain all necessary licenses, permits and approvals required for the Event and for construction of any temporary structure or system to be used at the Property in connection with the Event or related activities. In addition, LICENSEE will take all actions necessary to restore the property to its condition existing prior to the commencement of operations under this agreement, including, without limiting the generality of the foregoing, the removal of all temporary structures and systems.

7. Successors and Assigns. This agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties; provided, however, that nothing herein shall be deemed to permit the assignment of this Agreement by either party without the express written consent of the other party.

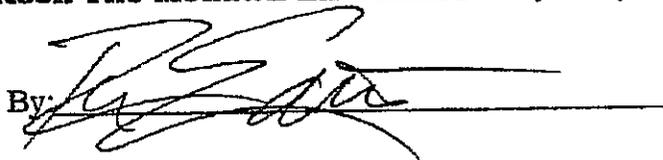
8. Entire Agreement. This contract constitutes the entire agreement between the parties and no further agreement, express or implied, written or oral, exists with respect to the subject matter of this document.

9. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

10. Rights and Interest. The Licensor acknowledges that it has no rights to nor interest in the footage produced by the filming that shall occur hereunder and the Licensee shall own all rights and interest to same.

In Witness Whereof, **Rock The Mohawk Entertainment, Inc.** has caused this instrument to be signed in its corporate name by ROBB EARNEST, hereunto duly authorized, and Riverhead Community Development Agency has caused this instrument to be signed in its corporate name by Philip J. Cardinale, Community Development Agency Chairman, hereunto duly authorized, as of the day and the year first above written.

Rock The Mohawk Entertainment, Inc.,

By: 

**RIVERHEAD COMMUNITY
DEVELOPMENT AGENCY**

By: _____
Philip J. Cardinale
CDA Chairman

ACORD CERTIFICATE OF LIABILITY INSURANCE Page 1 of 2		DATE 05/24/2005
PRODUCER 877-945-7378 Willis North America, Inc. - Regional Cert Center 25 Century Blvd. P. O. Box 305191 Nashville, TN 372305191	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Viacom Inc. MTV NETWORKS ROCK THE HOWAWK ENTERTAINMENT, INC. 8981 SUNSET BLVD. STE. 102 LOS ANGELES, CA 90049	INSURERS AFFORDING COVERAGE	NAIC#
	INSURER A: Travelers Property Casualty Company of Am	25674-004
	INSURER B: Travelers Casualty & Surety Company	19038-003
	INSURER C:	
	INSURER D:	
INSURER E:		

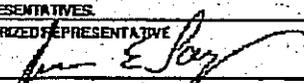
COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR A DOT 1 TH INSR#	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY	TJGLSA260T402-5TIL-05	1/1/2005	1/1/2006	EACH OCCURRENCE \$ 5,000,000
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	231D6278	1/1/2005	1/1/2006	DAMAGE TO RENTED PREMISES (EA OCCURRENCE) \$ 5,000,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person) \$
					PERSONAL & ADV INJURY \$ 5,000,000
					GENERAL AGGREGATE \$ 15,000,000
					PRODUCTS - COMP/OP AGG \$ 5,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:				
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				
A	AUTOMOBILE LIABILITY	TJCAP260T396-8-TIL-05	1/1/2005	1/1/2006	COMBINED SINGLE LIMIT (EA ACCIDENT) \$ 3,000,000
B	<input checked="" type="checkbox"/> ANY AUTO	231D6266	1/1/2005	1/1/2006	BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS				
	<input type="checkbox"/> NON-OWNED AUTOS				
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
	<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC \$
					AUTO ONLY: AGG \$
	EXCESS LIABILITY				EACH OCCURRENCE \$
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE \$
					\$
	DEDUCTIBLE				\$
	RETENTION \$				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STAT/TORY LIMITS OTHER \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT \$
	If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE \$
					E.L. DISEASE - POLICY LIMIT \$
A	OTHER	TJCAP260T396-8-TIL-05	1/1/2005	1/1/2006	\$500 Collision Deductible \$500 Comprehensive Deductible
	Auto Physical Damage				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

Certificate Holder is included as an Additional Insured as required by the terms of a written agreement between the parties or in the case of a verbal agreement for liability arising out of the insured's negligent acts. Further the Certificate Holder is also included as a Loss Payee under the Automobile Physical Damage policy only if required by written or in the case of a verbal agreement only for negligent acts of the insured. This additional insured and/or Loss Payee status arises solely as respects the filming of the motion picture and/or television production "CALL TO GREATNESS"

CERTIFICATE HOLDER Town of Riverhead Community Development Agency 200 Howell Ave. Riverhead, NY 11901 631-727-6712 fax	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURED WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE 
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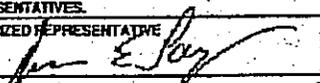
ACORD CERTIFICATE OF LIABILITY INSURANCE Page 1 of 2		DATE 05/24/2005
PRODUCER 877-945-7378 Willis North America, Inc. - Regional Cert Center 26 Century Blvd. P. O. Box 305191 Nashville, TN 372305191	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Viacom Inc. NEW NETWORKS ROCK THE HAWK ENTERTAINMENT, INC. 8981 SUNSET BLVD. STE. 102 LOS ANGELES, CA 90069	INSURERS AFFORDING COVERAGE INSURER A: Travelers Property Casualty Company of Am INSURER B: Travelers Casualty & Surety Company INSURER C: INSURER D: INSURER E:	NAIC# 25671-004 19038-003

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADDITIONAL	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A		GENERAL LIABILITY	TJGLSA260T402-5TIL-05	1/1/2005	1/1/2006	EACH OCCURRENCE \$ 5,000,000
B	<input checked="" type="checkbox"/>	COMMERCIAL GENERAL LIABILITY	231D6278	1/1/2005	1/1/2006	DAMAGE TO RENTED PREMISES (Per occurrence) \$ 5,000,000
		<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person) \$
						PERSONAL & ADV INJURY \$ 5,000,000
						GENERAL AGGREGATE \$ 15,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER:				PRODUCTS - COMP/OP AGG \$ 5,000,000
		<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				
A		AUTOMOBILE LIABILITY	TJCAP260T396-8-TIL-05	1/1/2005	1/1/2006	COMBINED SINGLE LIMIT (Ea accident) \$ 3,000,000
B	<input checked="" type="checkbox"/>	ANY AUTO	231D6266	1/1/2005	1/1/2006	BODILY INJURY (Per person) \$
		ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
		SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident) \$
		HIRE AUTOS				
		NON-OWNED AUTOS				
						AUTO ONLY - EA ACCIDENT \$
		GARAGE LIABILITY				OTHER THAN EA ACC \$
		ANY AUTO				AUTO ONLY: AGG \$
		EXCESS LIABILITY				EACH OCCURRENCE \$
		<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE \$
		DEDUCTIBLE:				\$
		RETENTION \$				\$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS OTHER
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT \$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$
A		OTHER	TJCAP260T396-8-TIL-05	1/1/2005	1/1/2006	\$500 Collision Deductible \$500 Comprehensive Deductible
		Auto Physical Damage				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
 Certificate Holder is included as an Additional Insured as required by the terms of a written agreement between the parties or in the case of a verbal agreement for liability arising out of the insured's negligent acts. Further the Certificate Holder is also included as a Loss Payee under the Automobile Physical Damage policy only if required by written or in the case of a verbal agreement only for negligent acts of the insured. This additional insured and/or Loss Payee status arises solely as respects the filming of the motion picture and/or television production "CALL TO GREATNESS"

CERTIFICATE HOLDER Town of Riverhead 200 Howell Ave. Riverhead, NY 11901 631-727-6712 fax	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE 
--	--

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 937

COUNCILMAN DENSIESKI

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>
001.000000.390599	Appropriated F/B	2,520	
001.014200.542802	Town Attorney, Supplemental Law Books		1,700
001.014200.524000	Town Attorney, Equipment		800
001.014200.543400	Town Attorney, Education		20
001.000000.390599	Appropriated F/B	6,725	
001.081600.541530	Sanitation, Auto Repair Exp		5,000
001.081600.546300	Sanitation, Fuel & Oil		1,000
001.081600.549000	Sanitation, Misc.		150
001.081600.546100	Sanitation, Telephone Exp		575
001.016250.524175	B & G Funds	2,180	
001.016250.524000	B & G, Equipment		2,180
001.014400.542100	Engineering, Office Supplies	300	
001.014400.542114	Engineering, Prof Dues and Subscript		300

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

Tabled

TOWN OF RIVERHEAD

COMMUNITY PRESERVATION FUND

BUDGET ADJUSTMENT

RESOLUTION # 938

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>
737.082170.420000	CPF Land Transfer Tax	12,500	
737.014200.543900	Land Preservation Consultant		5,000
737.014200.542612	Land Surveys		7,500

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

Tabled

Adopted

TOWN OF RIVERHEAD

MUNICIPAL FUEL FUND

BUDGET ADJUSTMENT

RESOLUTION # 939

COUNCILWOMAN SANDERS

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>
625.092801.431000	Services Other Departments	52,000	
625.016700.523022	Asphalt Improvement		52,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

Adopted

TOWN OF RIVERHEAD

'04 WR CREEK PKY & BOAT RAMP IMP

BUDGET ADJUSTMENT

RESOLUTION # 940

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>
406.072300.547900.40121	Contingency	14,145	
406.072300.523018.40121	Pkg & Ramp Imp		9,000
406.072300.543507.40121	Field Investigate Expense		2,145
406.072300.543505.40121	Engineering Expense		3,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

Adopted

TOWN OF RIVERHEAD

RECREATION PROGRAM FUND

BUDGET ADJUSTMENT

RESOLUTION # 941

COUNCILWOMAN BLASS 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>
006.073100.542000	Appropriated F/B	500	
006.073100.543900	Youth Programs, Consultants		500
006.076200.542600	Fishing Tournament, Printing Exp	100	
006.076200.543900	Fishing Tournament, Consultants		100
006.072089.421042	Instruction Program Fees	5,000	
006.076204.543900	Rec. Inst. Programs		5,000
006.072089.421043	Bus Trip Fees	4,000	
006.076210.545651	Bus Trip Expense		4,000

THE VOTE

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

Adopted

TOWN OF RIVERHEAD

RESIDENTIAL REHAB LOAN PROGRAM

BUDGET ADJUSTMENT

RESOLUTION # 942

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>
179.082170.420000	Program Income	2,500	
179.086660.54000	Contractual Expense		2,500

THE VOTE

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

October 4, 2005

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 943

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER FOR COURT STREET MUNICIPAL PARKING FACILITY IMPROVEMENTS

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

WHEREAS, on January 19, 2005 the Riverhead Town Board adopted Resolution No. 70 entitled, "Awards Bid for Court Street Parking Municipal Parking Facility"; and

WHEREAS, the bid was awarded to Bove Industries, Inc. in the amount of Seven Hundred Fifty Nine Thousand Five Hundred Sixty Eight & 00/100 (\$759,568.00); and

WHEREAS, the Town Engineer and Cashin Associates, consulting engineer, has recommend that additional work was required to add 3/4" gravel for drainage structure bottoms, remove undisclosed, underground oil tanks, silt fence, elevation modification, catch basin and casting installation, curb and pavement along perimeter of site, and Belgium block in the amount of Twenty Seven Thousand, Three Hundred Twenty Eight & 27/100 (\$27,328.27).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute a change order in the amount of \$27,328.27; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to David Carrick, Leon Jaworwski, P.E., Cashin Associates, 1200 Veterans Memorial Highway, Hauppauge, NY 11788, Bove Industries, Inc., 16 Hulse Road, East Setauket, NY 11733, Dave Cullen 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

October 4, 2005

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 944

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER NO. 2 FOR WADING RIVER CREEK BOAT RAMP FACILITY AT CREEK ROAD IMPROVEMENT PROJECT

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

WHEREAS, on March 24, 2005, the Riverhead Town Board adopted Resolution No. 272 entitled, "Awards Bid for Wading River Boat Ramp Facility at Creek Road"; and

WHEREAS, the bid was awarded to Terry Contracting and Materials, Inc. in the amount of Four Hundred Thirty Nine Thousand, Five Hundred Thirty Five & 00/100 (\$439,535.00); and

WHEREAS, the Town Engineer and Young & Young, consulting engineer, recommend that additional dredging was needed and approved by the Town Board to re-open the interface to allow safe passage of boats in the amount of Twenty Three Thousand & 00/100 (\$23,000.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute a change order in the amount of \$23,000.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E., Thomas Wolpert, P.E., Young & Young, Terry Contracting and Materials, Inc., 840 West Main Street, Riverhead, NY 11901, Dave Cullen 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

October 4, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 945

**CLASSIFIES ACTION, DECLARES LEAD AGENCY
AND DETERMINES SIGNIFICANCE OF ACTION ON
SITE PLAN OF F1 LONG ISLAND SPORTS FACILITY**

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

WHEREAS, the Riverhead Town Board is in receipt of a site plan petition from F1 Long Island, LLC for the construction of a commercial sports facility consisting of a series of kart racing tracks, a 14,800sq.ft. clubhouse/corporate conference facility of 23,000sq.ft. gfa (including meeting rooms, event/banquet hall, dining and other food and beverage features and motor sport related retail) and a 5,000sq.ft. maintenance building on a 12.1 ac. parcel zoned Industrial C; such property more particularly described as SCTM 0600-117-1-4.2, and

WHEREAS, the Riverhead Planning Department identified the petition as a Type I action mandating coordinated SEQR review with involved agencies; which review was undertaken and elapsed without receipt of lead agency interest or comment, and

WHEREAS, the Planning Department has analyzed the full EAF and other project documentation provided and has prepared a SEQR report outlining the action's potentially large and important impacts and has recommended that a positive declaration of significance be rendered, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares the site plan petition of F1 Long Island, LLC to be a Type I action pursuant to 6NYCRR Part 617.4(b)(6)(i) and further declares itself to be the lead agency in the project's SEQR review, and

BE IT FURTHER

RESOLVED, that the Town Board has determined the potential exists for significant adverse impact upon the natural and social environment and that an Environmental Impact Statement shall be prepared, and

BE IT FURTHER

RESOLVED, that pursuant to 6NYCRR Part 617.13, the Town will charge the applicant a fee for preparation and review of the EIS including its scoping, and

BE IT FURTHER

RESOLVED, that the Planning Department be directed to file the requisite notice of significance pursuant to 617.12, and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant or his agent.

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

10/4/05

TOWN OF RIVERHEAD

Adopted

Resolution # 946

**RESOLUTION AND CONSENT APPROVING THE DEDICATION OF
HIGHWAYS KNOWN AS FAIRWAY DRIVE, EAGLE ROAD AND BIRDIE
COURT (SOUND BREEZE - SECTION 6)**

COUNCILMAN DENSIESKI offered the following resolution, was seconded

by COUNCILWOMAN SANDERS:

At a regular meeting of the
Town Board of the Town of
Riverhead, in the County of
Suffolk, State of New York,
held at 200 Howell Avenue,
Riverhead, New York on the
4th day of October, 2005.

P R E S E N T :

- Hon. Philip J. Cardinale, Supervisor
- Edward Densieski, Councilperson
- George Bartunek, Councilperson
- Barbara Blass, Councilperson
- Rose Sanders, Councilperson

X

In the Matter of the Dedication of
Certain Highways in the Town of
Riverhead, County of Suffolk and
State of New York, Known as

**RESOLUTION
AND CONSENT**

**FAIRWAY DRIVE, EAGLE ROAD
AND BIRDIE COURT.**

X

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the
County of Suffolk, known as "Map of Sound Breeze, Section 6", Town of Riverhead,
County of Suffolk, State of New York, filed on March 6, 1998 as Map No. 10117 in the
Office of the Clerk of Suffolk County, Riverhead, New York; and

WHEREAS, plans for the construction of various improvements to said road known and designated as **FAIRWAY DRIVE, EAGLE ROAD and BIRDIE COURT** were submitted to the Planning Board of the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead did approve a performance bond as to form, sufficiency, manner of execution and surety; and

WHEREAS, said roads, drainage systems, sumps and other improvements have been completed in accordance with the plans and specifications of the Town of Riverhead Planning Board; and

WHEREAS, the construction of the said roads, drainage systems, sumps and other improvements have met with the approval of the Superintendent of Highways of the Town of Riverhead; and

WHEREAS, a copy of the Order Laying Out Road Upon Consent of Owner(s) from the Superintendent of Highways indicating his consent is annexed hereto and made a part hereof; and

WHEREAS, a special search street dedication from Chicago Title Insurance Company, Title Number 3804-95095 dated September 20, 2005, has been filed with the Clerk of the Town of Riverhead, together with a deed of dedication and release affecting said roads, drainage systems, sumps and/or other improvements.

NOW THEREFORE BE IT RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead, make an order laying out a certain road known as **FAIRWAY DRIVE, EAGLE ROAD and BIRDIE COURT**, the said Town roads to consist of the land described in the deed of dedication dated the 4th day of August, 2005 and to extend same as delineated therein; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forthwith cause such deeds of dedication to be recorded in the Office of the Clerk of the County of Suffolk, and upon its return, to attach it hereto; and be it further

RESOLVED, that the Town Clerk is hereby directed to release any and all previously submitted performance bonds upon adoption of this resolution by the Town Board; and be it further

RESOLVED, that this resolution shall take effect immediately; 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., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901; the Riverhead Superintendent of Highways;

the Planning Board; the Planning Department; the Assessor's Office; the Tax Receiver's Office and the Town Attorney's Office.

Dated: Riverhead, New York
October 4, 2005

**TOWN BOARD OF THE
TOWN OF RIVERHEAD**

PHILIP J. CARDINALE

EDWARD DENSIESKI

GEORGE BARTUNEK

BARBARA BLASS

ROSE SANDERS

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

10/4/05

TOWN OF RIVERHEAD

Resolution # 947

**RESOLUTION AND CONSENT APPROVING THE DEDICATION OF
HIGHWAYS KNOWN AS FAIRWAY DRIVE, PAR COURT AND
RECHARGE BASIN (SOUND BREEZE – SECTION 5)**

COUNCILWOMAN SANDERS offered the following resolution, was seconded

by COUNCILMAN BARTUNEK :

At a regular meeting of the
Town Board of the Town of
Riverhead, in the County of
Suffolk, State of New York,
held at 200 Howell Avenue,
Riverhead, New York on the
4th day of October, 2005.

P R E S E N T :

Hon. Philip J. Cardinale, Supervisor
Edward Densieski, Councilperson
George Bartunek, Councilperson
Barbara Blass, Councilperson
Rose Sanders, Councilperson

X

In the Matter of the Dedication of
Certain Highways in the Town of
Riverhead, County of Suffolk and
State of New York, Known as

**RESOLUTION
AND CONSENT**

**FAIRWAY DRIVE, PAR COURT
AND RECHARGE BASIN**

X

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the
County of Suffolk, known as "Map of Sound Breeze, Section 5", Town of Riverhead,
County of Suffolk, State of New York, filed on March 6, 1998 as Map No. 10116 in the
Office of the Clerk of Suffolk County, Riverhead, New York; and

WHEREAS, plans for the construction of various improvements to said road known and designated as **FAIRWAY DRIVE, PAR COURT and RECHARGE BASIN** were submitted to the Planning Board of the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead did approve a performance bond as to form, sufficiency, manner of execution and surety; and

WHEREAS, said roads, drainage systems, sumps and other improvements have been completed in accordance with the plans and specifications of the Town of Riverhead Planning Board; and

WHEREAS, the construction of the said roads, drainage systems, sumps and other improvements have met with the approval of the Superintendent of Highways of the Town of Riverhead; and

WHEREAS, a copy of the Order Laying Out Road Upon Consent of Owner(s) from the Superintendent of Highways indicating his consent is annexed hereto and made a part hereof; and

WHEREAS, a special search street dedication from Chicago Title Insurance Company, Title Number 3804-95095 dated September 20, 2005, has been filed with the Clerk of the Town of Riverhead, together with a deed of dedication and release affecting said roads, drainage systems, sumps and/or other improvements.

NOW THEREFORE BE IT RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead, make an order laying out a certain road known as **FAIRWAY DRIVE, PAR COURT and RECHARGE BASIN**, the said Town roads and drainage basin to consist of the land described in the deed of dedication dated the 4th day of August, 2005 and to extend same as delineated therein; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forthwith cause such deeds of dedication to be recorded in the Office of the Clerk of the County of Suffolk, and upon its return, to attach it hereto; and be it further

RESOLVED, that the Town Clerk is hereby directed to release any and all previously submitted performance bonds upon adoption of this resolution by the Town Board; and be it further

RESOLVED, that this resolution shall take effect immediately; 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., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901; the Riverhead Superintendent of Highways;

the Planning Board; the Planning Department; the Assessor's Office; the Tax Receiver's Office and the Town Attorney's Office.

Dated: Riverhead, New York
October 4, 2005

**TOWN BOARD OF THE
TOWN OF RIVERHEAD**

PHILIP J. CARDINALE

EDWARD DENSIESKI

GEORGE BARTUNEK

BARBARA BLASS

ROSE SANDERS

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

TOWN OF RIVERHEAD

Resolution # 948

**GRANTS EXCAVATION PERMIT AS PROVIDED BY CHAPTER 62 TO
T.R.W. REALTY LLC**

COUNCILMAN BARTUNEK

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

WHEREAS, T.R.W. Realty LLC, owners of the of the subject property located at 1800 Old Country Route 58, Riverhead, NY known as Riverhead Auto Mall, Suffolk County tax map number, 119-1-5.1, and

WHEREAS, the owners have petitioned the Town Board for site plan amendment approval to allow the importation of 21,100 Cubic yards of clean soils for the construction of a vehicle storage area as depicted on a site plan prepared by Young and Young Land Surveyors, dated January 6, 2000 and amended September 27, 2005, and

WHEREAS, the owner has applied to the Building Inspector and the Town Board for an excavation permit pursuant to Chapter 62 of the Town Code of the Town of Riverhead; to commence additional site work at the subject property in accordance with their approved site plan as provided by Resolution 1277 dated December 2, 2003, and by Resolution # _____ dated October 4, 2005, and

WHEREAS, the applicant's engineer, Young and Young Land Surveyors, has submitted an excavation plan indicating a total of 21,100 cubic yards of soil to be imported from an approved DEC site which is registered pursuant to 6 NYCRR Part 360-16 which are to be supported by a manifest showing the origins of the soils from the owners and approved by the Town of Riverhead Engineer and Building Department, and

WHEREAS, the importation of the 21,100 cubic yards shall be subject to random soil testing pursuant to 6 NYCRR Part 360-16, provided by the town's consultant testing company at the supervision of the Town Engineer and Building Department as directed by the Town Board, and

WHEREAS, the testing requirement is imposed due to the fact that the applicant proposes to utilize recycled fill material as opposed to virgin soils and that the use of recycled materials increases the risk of contamination of the Town's groundwater, and

WHEREAS, the Town Board has reviewed the application for excavation permits and has determined same is in compliance with the requirements of Chapter 62 in all respects, and

NOW, THEREFORE, BE IT

RESOLVED, that based upon the foregoing, the Town Board hereby grants the excavation permit requested by the applicant, such excavation permit authorizing the importation of not more than 21,100 total cubic yards of soils in accordance with the permit application and calculations of Young and Young Land Surveyors., and be it further,

RESOLVED, the Building Department is hereby authorized to accept fees in the amount of \$ 42,200.00 dollars representing \$2.00 per cubic yard for the soils to be imported, be it further,

RESOLVED, that the excavation permit is conditioned upon specified hours of operation, between the hours of 7:00 a.m. and 5:00 p.m. Monday through Saturday only, be it further,

RESOLVED, the applicant grants permission to the Town of Riverhead to randomly test said imported soils such testing to be paid for by the applicant up to a maximum of \$4000.00, be it further,

RESOLVED, that should any of the imported soils that are tested show an unacceptable test result as set forth in 6 NYCRR Part 360-16, following notification to the applicant, this excavation permit shall immediately be suspended and the applicant shall immediately discontinue any work at the site, and be it further

RESOLVED, that should any of the imported soils that are tested show an unacceptable test result, the offending soils will be removed at the owner's expense and/or the owner will take such other action deemed necessary and appropriate as directed by the Town's engineer or his designee, and be it further

RESOLVED, that all other provisions of Chapter 62 being hereby waived pursuant to Chapter 62.5, and be it further,

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to T.R.W. Realty LLC, the Riverhead Planning Department, The Riverhead Accounting Department, The Riverhead Town Engineer, and the Riverhead Building 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

October 4th, 2005

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 949

APPROVES AMENDED SITE PLAN OF T.R.W. REALTY CORP
a/k/a RIVERHEAD AUTO MALL

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by **COUNCILWOMAN SANDERS**.

WHEREAS, by Resolution #1277, adopted on December 2nd, 2003 by the Riverhead Town Board, the Riverhead Town Board did approve the site plan of T.R.W. Realty Corp., to allow the construction of an addition to an existing auto sales and service facility, upon real property located at 1800 Old Country Road (CR58), Riverhead, New York, known and designated as Suffolk Tax Map Number 0600-119-1-5.1; and

WHEREAS, T.R.W Realty Corp. has requested that a modification of said site plan be approved by the Riverhead Town Board; and

WHEREAS, the Planning Department has reviewed the site plan dated September 27th, 2005, as prepared by Young and Young L.S., and has recommended that the Town Board grant such modification; and

WHEREAS, this Town Board has reviewed the modification aforementioned; 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 per Receipt Number 2005-0926 dated September 26th, 2005.

NOW, THEREFORE BE IT

RESOLVED, the Town Board of Riverhead does hereby approve the site plan modification of T.R.W. Realty Corp., as prepared by Young and Young, L.S., dated September 27th, 2005.

BE IT FURTHER

RESOLVED, that the Town Clerk be and is herby authorized to forward a certified copy of this resolution to T.R.W. Realty LLC, the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office and the Office of the Town Attorney.

Planning 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

October 4th, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 950

APPROVES SITE PLAN OF NEXTEL OF NEW YORK, INC.
D/B/A/ NEXTEL COMMUNICATIONS

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by **COUNCILWOMAN BLASS**:

WHEREAS, a site plan and elevations were submitted by Nextel of New York Inc., d/b/a Nextel Communications to collocate 12 public utility wireless telecommunications antennae with additional equipment cabinets onto an existing tower located at Sound Avenue (KeySpan Tower), Jamesport, New York, known and designated as Suffolk County Tax Map Number 0600-3-1-2.5; and

WHEREAS, the Planning Department has reviewed the site plan dated February 11th, 2005, as prepared by Neil MacDonald, R.A. and elevations dated February 11th, 2005 as prepared by Neil MacDonald, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be an Unlisted Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617 and that an Environmental Impact Statement need not be prepared; and

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 2004-0729 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 and elevations submitted by Nextel of New York Inc., d/b/a Nextel Communications with additional equipment cabinets onto an existing tower located at Sound Avenue (KeySpan), Jamesport, New York, site plan dated February 11th, 2005, as prepared by Neil MacDonald, R.A. and elevations dated February

11th, 2005, as prepared by Neil MacDonald, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan approves 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, KeySpan hereby authorizes and consents to the Town of Riverhead to enter premises at Sound Avenue, Jamesport, 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, if feasible;
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;
15. That no Certificate of Compliance shall be issued by the Building Department prior to the submission of a Post Construction Report to the satisfaction of the Planning Director by the applicant's consulting engineer indicating that the modifications approved herein have been satisfactorily completed; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to 1122 Osborne Avenue, LLC., 1122 Osborne Avenue, Riverhead, New York 11901, the Riverhead Planning Department, Riverhead Building Department, Office of the Town Attorney and the Town Engineer.

Planning Dept.

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	Densleski	<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 _____, 2005, made by KEYSpan CORPORATE SERVICES, LLC. 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, KeySpan Corporate Services, LLC. hereby authorizes and consents to the Town of Riverhead to enter premises at Sound Avenue, Jamesport, 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 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;
- 14. That all necessary precautions shall be taken to contain all dust, dirt, and sand within property boundaries. Such precautions may include the application of dust down, watering, or proper screening or other appropriate measures;
- 15. That no Certificate of Compliance shall be issued by the Building Department prior to the submission of a Post Construction Report to the satisfaction of the Planning Director by the applicant's consulting engineer indicating that the modifications approved herein have been satisfactorily completed;

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

KEYSPAN CORPORATE SERVICES
LLC

State of New York, County of Suffolk) ss.:

On the ___ day of _____ in the year 2005, 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

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

October 4th, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 951

**APPROVES SITE PLAN OF MAIN ROAD ASSOCIATES D/B/A
STOVES AND STONE, LTD**

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

WHEREAS, a site plan and elevations were submitted by Main Road Associates for the replacement of a chain link fence with a masonry wall and cast iron fence at existing commercial facility located at 3853 Middle Country Road, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-117-1-2; and

WHEREAS, the Planning Department has reviewed the site plan dated April 2nd, 2005, prepared by David H. Fox, LS. and elevations dated July 31st, 2004, as prepared by Timber Landscaping and Design Company, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board declares itself to be the Lead Agency and further determines the Action to be Type II pursuant to 6NYCRR Part 617; 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 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 2004-1005 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 and elevations submitted by Main Road Associates for the replacement of a chain link fence with a masonry wall and cast iron fence at an existing commercial facility, site plan dated April 2nd, 2005, as prepared by David H. Fox, L.S. and elevations dated July 31st, 2004, as prepared by Timber

Timber Landscaping and Design Company, 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 freestanding signage, as depicted upon the aforementioned site plan, has been conceptually approved by the Architectural Review Board, shall be submitted to the Town Board for its review and ministerial approval pursuant to Section 108-56 of the zoning ordinance prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design; and all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and all tenants shall be apprised of said requirements 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, 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, Main Road Associates, hereby authorizes and consents to the Town of Riverhead to enter premises at 3853 Middle Country Road, 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 and all tanks shall be located underground, if feasible;
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 any clearing or grading of the subject parcels, 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. No clearing or grading shall commence, nor shall the building permit 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 project construction;
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 Joseph Grieco, Main Road Associates, 3853 Middle Country Road, Calverton, New York 11933, the Riverhead Planning Department, Riverhead Building Department, Riverhead, Town Attorney and the Town Engineer.

Planning Dept.

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 _____, 2005, made by Main Road Associates, 3853 Middle Country Road, Calverton, New York 11933, 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 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, 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, Main Road Associates, hereby authorizes and consents to the Town of Riverhead to enter premises at 3853 Middle Country Road, Calverton, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all utilities shall be constructed underground and all tanks shall be located underground, if feasible;
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 any clearing or grading of the subject parcels, 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. No clearing or grading shall commence, nor shall the building permit 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 project construction;
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;
14. That all necessary precautions shall be taken to contain all dust, dirt, and sand within property boundaries. Such precautions may include the application of dust down, watering, or proper screening or other appropriate measures;

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

MAIN ROAD ASSOCIATES

State of New York, County of Suffolk) ss.:

On the ___ day of _____ in the year 2005, 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

10/04/05

Adopted

TOWN OF RIVERHEAD

Resolution # 952

AUTHORIZES THE RELEASE OF A BOND FOR APPLEBEE'S RESTAURANT
- SINDROME CONSTRUCTION, INC.

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, Sindrome Construction, Inc. - Applebee's Restaurant, posted a performance bond (PA0505881 The Insurance Company of the State of Pennsylvania - Resolution #361 dated April 18, 2000) in the amount of Nineteen Thousand Two Hundred Twenty Nine Dollars (\$19,229) for a restaurant at 1932 Old Country Road, Riverhead, New York Suffolk County Tax Map Number 0600 / 119.-1-1 pursuant to Section 108-133(I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the performance bond (PA0505881) in the sum of Nineteen Thousand Two Hundred Twenty Nine Dollars (\$19,229) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Sindrome Construction Inc. 233 E. Montauk Highway, Lindenhurst, New York 11757, the Building Department; the Accounting Department, the Town Clerk and the Town Attorney's Office.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cantalone Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

10/04/05

Adopted

TOWN OF RIVERHEAD

Resolution # 953

AUTHORIZES THE RELEASE OF A BOND FOR MAXIMUM MOTOR SPORTS, LLC

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, Maximum Motor Sports LLC posted a performance bond (#42906-Nova Casualty Company) in the amount of Sixty One Thousand Seven Hundred Seventy Four Dollars (\$61,774) for a Motorsports Showroom Building as per Resolution #12103 dated November 5, 2003 at 1725 Old Country Road, Riverhead, New York Suffolk County Tax Map Number 0600/119.-1-9.3 pursuant to Section 108-133(I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the performance bond (#42906 - Nova Casualty Company) in the sum of Sixty One Thousand Seven Hundred Seventy Four Dollars (\$61,774) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Maximum Motorsports, LLC, 1133 Route 58, Riverhead, New York, the Building Department; the Accounting Department, the Town Clerk 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

10/04/05

Adopted

TOWN OF RIVERHEAD

Resolution # 954

AUTHORIZES THE RELEASE OF SECURITY FOR JAY TRANCHINA -T- JAY'S TRANSMISSION INC.

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

WHEREAS, Jay Tranchina – T Jay's Transmission. posted security in the amount of Two Thousand Five Hundred Sixty One Dollars (\$2,561) for a new building located at 1174 East Main Street, Riverhead, New York pursuant to Section 108-133(I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the security in the sum of Two Thousand Five Hundred Sixty One Dollars (\$2,561) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Jay Tranchina, 1174 East Main Street, Riverhead, New York 11901, the Building Department; the Accounting Department, the Town Clerk 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

Adopted

TOWN OF RIVERHEAD

Resolution # 955

AUTHORIZES THE RELEASE OF SECURITY FOR OC RIVERHEAD 58 -
APPLEBEE'S

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, OC Riverhead 58 - Allen M Smith Esq. attorney for OC Riverhead 58 posted a security (Resolution #1031 dated November 16, 1999) in the form of a Savings Passbook Account (#100397944 Suffolk County National Bank) in the amount of Sixteen Thousand Eight Hundred and Twenty One Dollars (\$16,821) pursuant to Section 108-133(I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the Savings Passbook Account (#100397944) in the sum of Sixteen Thousand Eight Hundred Twenty One Dollars (\$16 821) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, Esq., attorney for OC Riverhead 58, PO Box 1240, 737 Roanoke Avenue, Riverhead, New York 11901, the Building Department; the Accounting Department, the Town Clerk 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

10/04/05

Adopted

TOWN OF RIVERHEAD

Resolution # 956

AUTHORIZES THE RELEASE OF SECURITY FOR ROANOKE REALTY ENTERPRISES LLC

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, Roanoke Realty Enterprises LLC posted a security, check #68085235 – North Fork Bank, in the sum of Thirty One Thousand Three Hundred Seventy Eight Dollars (\$31,378) for Suffolk County Tax Map #0600/ 107.-2-3, pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department’s satisfaction, the Planning Department is satisfied with the site work completed and Certificate of Occupancy has been issued for said construction.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the security (check #68085235) in the sum of Thirty One Thousand Three Hundred Seventy Eight Dollars (\$31,378) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Roanoke Realty Enterprises LLC, Dr. Blanco, 1236 Roanoke Avenue, Riverhead, New York 11901, the Building Department; the Accounting Department, the Town Clerk 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

10/4/05

Adopted

TOWN OF RIVERHEAD

Resolution # 957

APPROVES CHAPTER 90 APPLICATION OF CHURCH OF THE HARVEST

COUNCILMAN BARTUNEK

offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, on September 15, 2005, Church of the Harvest had submitted a Chapter 90 Application or the purpose of conducting a "Free Throw Basketball Tournament", having music and food, to be located at the park on Lewis Street in Millbrook Gables, Riverhead, New York, to be held on October 16, 2005, between the hours of 11:30 a.m. and 6:00 p.m.; and

WHEREAS, Church of the Harvest has completed and filed a Short Form Environmental Assessment Form in accordance with 6 NYCRR 617, and

WHEREAS, the Town Board of the Town of Riverhead has declared itself "Lead Agency" in accordance with 6 NYCRR 617.6(b), and

WHEREAS, the applicant has requested the Chapter 90 application fee be waived due to its not-for-profit status; and

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

NOW THEREFORE BE IT RESOLVED, that Town of Riverhead hereby determines the action to be an "Unlisted" action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2), and be it further

RESOLVED, that the Chapter 90 Application of the Church of the Harvest to conduct a "Free Throw Basketball Tournament", having music and food, to be located at the park on Lewis Street in Millbrook Gables, Riverhead, New York, to be held on October 16, 2005, between the hours of 11:30 a.m. and 6:00 p.m., is hereby approved; and be it further

RESOLVED, that the Town Board hereby waives the Chapter 90 Application fee in connection with this event; and be it further

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	Deasieski	<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

RESOLVED, that this approval is subject to Riverhead Town Code Chapter 81 entitled, "Noise Control" and that applicant shall not exceed the noise limits as defined in Section 81-5 Prohibited Acts.; and be it further

RESOLVED, that any tent installations and any and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, the National Electrical Code and National Fire Protection Agency 102 (Tents & Membrane Structures); and be it further

RESOLVED, that this approval is subject to a fire safety inspection by the Town Fire Marshal 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-event" 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 Church of the Harvest, P.O. Box 1086, Riverhead, New York, 11901; the Riverhead Fire Marshal; Chief Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

10/4/05

TOWN OF RIVERHEAD

Adopted

Resolution # 958

**APPROVES CHAPTER 90 APPLICATION OF
ST. JOHN THE EVANGELIST R.C. CHURCH**

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, on September 20, 2005, St. John the Evangelist R.C. Church had submitted a Chapter 90 Application for the purpose of conducting a Craft Fair to be held on their property located at 546 St. John's Place, Riverhead, New York on Saturday, December 10, 2005 between the hours of 10:00 a.m. and 3:00 p.m.(set up at 7:30 a.m.); and

WHEREAS, St. John the Evangelist R.C. Church has completed and filed a Short Form Environmental Assessment Form in accordance with 6 NYCRR 617, and

WHEREAS, the Town Board of the Town of Riverhead has declared itself "Lead Agency" in accordance with 6 NYCRR 617.6(b), and

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

WHEREAS, the applicant has requested the Chapter 90 application fee be waived due to its not-for-profit status; and

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

NOW THEREFORE BE IT RESOLVED, that Town of Riverhead hereby determines the action to be an "Unlisted" action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2); and be it further

RESOLVED that the Chapter 90 Application of St. John the Evangelist R.C. Church for the purpose of conducting a Craft Fair to be held on their property located at 546 St. John's Place, Riverhead, New York on Saturday, October 16, 2005 between the hours of 10:00 a.m. and 3:00 p.m. (set up at 7:30 a.m.) is hereby approved; and be it further

RESOLVED, that this approval is subject to Riverhead Town Code Chapter 81 entitled, "Noise Control" and that applicant shall not exceed the noise limits as defined in Section 81-5 Prohibited Acts.; and be it further

RESOLVED, that the tent installation and any and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, the National Electrical Code and National Fire Protection Agency 102 (Tents & Membrane Structures); and be it further

RESOLVED, that this approval is subject to a fire safety inspection by the Town Fire Marshal 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 scheduling the required inspection appointment; and be it further

RESOLVED, that the Town Board hereby waives the Chapter 90 application fee in connection with this event; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to St. John the Evangelist R.C. Church, 546 St. John's Place, Riverhead, New York, 11901; Bruce Johnson, Fire Marshal; Chief Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

THE VOTE
Bartunek yes ___ no ___ Sanders yes ___ no ___
Bass yes ___ no ___ Denis yes ___ no ___
Cardinali yes ___ no ___
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED.

10/4/05

Adopted

TOWN OF RIVERHEAD

Resolution # 959

**RATIFIES THE APPOINTMENT OF A RECREATION SPECIALIST
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

RESOLVED, that Laura Carlisle is hereby appointed to serve as a Recreation Specialist with the working title of a Exercise Instructor, effective October 4th, 2005 to serve as needed on an at will basis, and to be paid at the rate of \$35.00 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):

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 Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

1

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Denisieski yes ___ no
Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

¹ Resolution Doris Rec Specialist Laura Carlisle

October 4, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 960

**APPOINTS PROVISIONAL JUSTICE COURT DIRECTOR
IN THE JUSTICE COURT**

COUNCILMAN BARTUNEK offered the following

resolution, which was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Suffolk County Department of Civil Service has conducted a desk audit of a position in the Justice Court and reclassified this position to Justice Court Director; and

WHEREAS, the Suffolk County Civil Service List of Eligibles of Justice Court has been exhausted and the Town has received authorization to provisionally appoint a qualified candidate; and

WHEREAS, the position of Justice Court Director has been duly posted (posting #16) with the CSEA membership and all eligible candidates have been interviewed; and

WHEREAS, the Town Justices have recommended Irene Alexander to fill the position.

NOW, THEREFORE, BE IT RESOLVED, that Irene Alexander is hereby appointed provisionally to the position of Justice Court Director Group 6 Step 7 of the Administration Salary Schedule effective September 30, 2005.

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

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

Adopted

October 4, 2005

TOWN OF RIVERHEAD

Resolution # 961

**APPOINTS PROVISIONAL ACCOUNT CLERK TYPIST
IN THE OFFICE OF TAX RECEIVER**

COUNCILMAN DENSIESKI

offered the following

resolution, which was seconded by COUNCILWOMAN SANDERS

WHEREAS, the Receiver of Taxes has requested the replacement of the paid position of Deputy Receiver of Taxes with the competitive position of Account Clerk Typist; and

WHEREAS, the Suffolk County Civil Service List of Eligibles of Account Clerk Typist has been exhausted and the Town has received authorization to provisionally appoint a qualified candidate to the position of Account Clerk Typist; and

WHEREAS, the position of Account Clerk Typist has been duly posted (posting #14) with the CSEA membership and all eligible candidates have been interviewed; and

WHEREAS, the Receiver of Taxes has recommended Laurie Zaneski to fill the vacancy.

NOW, THEREFORE, BE IT RESOLVED, that Laurie Zaneski is hereby appointed provisionally to the position of Account Clerk Typist in the Office of Tax Receiver to Group 9 Step 3A of the Salary Administration Schedule effective September 30, 2005.

BE IT FURTHER RESOLVED, that the paid position of Deputy Tax is hereby abolished.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

October 4, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 962

PROMOTION TO SENIOR ADMINISTRATIVE ASSISTANT

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

WHEREAS, the Chief of Police has recommended a promotion of an employee in his department; and

WHEREAS, said employee has successfully taken a civil service exam for the position of Senior Administrative Assistant and her name appears on the current Civil Service List of Eligibles for this position.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby ratify the promotion of Mary Andruszkiewicz to the position of Senior Administrative Assistant, effective September 26, 2005 at Group 5 Step 3A of the Salary Administration Schedule; and

BE IT FURTHER, RESOLVED, that the newly vacated position of Administrative Assistant is hereby abolished.

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

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

October 4, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 963

PROMOTION TO SENIOR ADMINISTRATIVE ASSISTANT
IN THE HIGHWAY DEPARTMENT

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

WHEREAS, the Highway Superintendent has recommended a promotion of an employee in their department; and

WHEREAS, said employee has successfully taken a civil service exam for the position of Senior Administrative Assistant and her name appears on the current Civil Service List of Eligibles for this position.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby ratify the promotion of Susan Beal to the position of Senior Administrative Assistant effective September 26, 2005 at Group 5 Step 8A of the Salary Administration Schedule; and

BE IT FURTHER, RESOLVED, that the newly vacated position of Administrative Assistant is hereby abolished.

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

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

10/04/05

STATUS **Adopted**

TOWN OF RIVERHEAD

Resolution # 964

AUTHORIZES THE ATTENDANCE OF ONE POLICE OFFICER TO THE NEW YORK HIGHWAY SAFETY CONFERENCE

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

WHEREAS, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of one Police Officer to attend the New York Highway Safety Conference; and,

WHEREAS, the seminar will be held in Lake Placid, New York, from October 16-19, 2005.

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of one police officer at the aforementioned seminar; and,

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes reimbursement of expenses, not to exceed \$800.00 (includes registration, lodging, meals, tolls and miscellaneous expenses for 3 nights) upon proper submission of receipts; and,

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

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

10/04/05

STATUS **Adopted**

TOWN OF RIVERHEAD

Resolution # 965

AUTHORIZES THE ATTENDANCE OF TWO POLICE OFFICERS TO THE
BAKER BATSHIELD COURSE

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

WHEREAS, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of two Police Officers to attend the Baker Batshield Course; and,

WHEREAS, the seminar will be held in Bergen County, New Jersey, from October 25 – 28, 2005.

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of two police officers at the aforementioned seminar; and,

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes reimbursement of expenses, not to exceed **\$1,200.00 (includes registration, lodging, meals, tolls and miscellaneous expenses for 3 nights)** upon proper submission of receipts; and,

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

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

Resolution # 966
October 4, 2005

Adopted

APPROVES THE ATTENDANCE AT
EMPIRE STATE DEVELOPMENT ZONE CONFERENCE

COUNCILWOMAN BLASS Offered the following resolution,

Which was seconded by COUNCILMAN BARTUNEK

WHEREAS, the State of New York of Economic Development routinely hosts mandatory information conferences for municipal coordinators of the Empire Development Zones Program throughout the State; and

WHEREAS, it is necessary and appropriate for the Zone Coordinator, Tracy Stark, to attend this informational training session; and

WHEREAS, a two day conference is scheduled in Niagara Falls on Oct 27th and 28th, thereby requiring her to stay at the Holiday Inn from October 26th and 27th, at \$100 per night, plus the cost of meals, transportation and registration to be reimbursed upon submission of receipts not to exceed \$900.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves expenditures for lodging at the Holiday Inn and reimbursement of meals, registration and transportation for Riverhead/Suffolk County Empire Zone Coordinator Tracy Stark to attend a required Empire Zone Session in Niagara Falls, NY from October 26th – 28th, 2005.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Tracy Stark, Jim Morgo (SC Commissioner of Economic Development), Randy Coburn (New York State Empire Zone Office) and the Riverhead Office of Accounting.

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

***Empire Zone ***

TOWN OF RIVERHEAD

Adopted

Resolution # 967

APPROVES REQUEST FOR MILITARY LEAVE OF ABSENCE

COUNCILMAN BARTUNEK offered the following

resolution, which was seconded by COUNCILWOMAN SANDERS

WHEREAS, Frederick Ligon has requested a 3 month non paid Military Leave of Absence from October 1, 2005 through December 31, 2005; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby approve the request of a military leave of Absence for Frederick Ligon from October 1, 2005 through December 31, 2005 subject to the following conditions:

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

(2) Any employee on a leave of absence on or after January 1, 2005 shall be notified by the Town prior to the end of the leave and by certified mail to the employee's last known address, of the date of expected return to work following the end of the leave. Any employee who fails to return to work within 10 days of the designated day shall be deemed to have abandoned his/her position with the Town. The employee will then be deemed to have waived any applicable due process protections otherwise available, including but not limited to those pursuant to Civil Service Law Section 75 or this Agreement, and may be terminated by the Town at its discretion, and

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

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

THE RESOLUTION ~~X~~ WAS WAS NOT

THEREFORE DULY ADOPTED

October 4, 2005

Adopted

TOWN OF RIVERHEAD

RATIFY AUTHORIZATION TO PUBLISH AND POST
A HELP WANTED ADVERTISEMENT FOR THE POSITION OF
MAINTENANCE MECHANIC II

RESOLUTION # 968:

COUNCILWOMAN SANDERS offered the following

resolution, which was seconded by COUNCILWOMAN BLASS

BE IT RESOLVED, that the Town Board ratify the authorization of the Town Clerk to publish the attached Help Wanted Ad in the September 29, 2005 issue of The Traveler Watchman.

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

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 qualified individuals for the position of Maintenance Mechanic II in the Water Department with a minimum trade experience of 2 years. Applications are to be submitted to the Accounting Office, Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:30pm on Friday, October 7, 2005. EOE

BY ORDER OF:

THE RIVERHEAD TOWN BOARD

BARBARA GRATTAN, TOWN CLERK

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of October, 2005 at 7:25 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:

**Chapter 101
Vehicles and Traffic**

§ 101-7. Turns.

The following turns in the designated areas are hereby defined:

Sign	Location
<u>Right turn only</u>	<u>East off roadway leading from gas station to Route 25 and Route 25A at the intersection of Route 25 and Route 25A, Calverton</u>
<u>Right turn only</u>	<u>East of roadway leading from the Glenwood Mobile Home Park onto County Road 58 (Old Country Road)</u>

Dated: Riverhead, New York
October 4, 2005

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

10/4/05

Adopted

Town of Riverhead

Resolution # 970

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

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

WHEREAS, the Town of Riverhead has an ongoing CDBG Program and plans to prepare an application for CDBG Funds for Fiscal Year 2006; and

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

WHEREAS, the public hearing has been scheduled for comment on November 1, 2005; and

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice of public hearing as a legal advertisement in the Thursday, October 13, 2005, issue of the News Review and to post same on the signboard in Town Hall.

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

THE VOTE

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
PUBLIC NOTICE

Please take notice that a public hearing will be held on the 1st day of November, 2005, at 2:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the development of the Town of Riverhead's Community Development Block Grant Application for Fiscal Year 2006.

Eligible categories for Community Development funding include:

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

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

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

Dated: October 4, 2005

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

BARBARA GRATTAN, TOWN CLERK

October 4, 2005

Adopted

TOWN OF RIVERHEAD
RESOLUTION # 971

CORRECTS DATES FOR TOWN BOARD RESOLUTION NO. 919
AUTHORIZES TOWN CLERK TO POST AND PUBLISH ATTACHED NOTICE TO
BIDDERS FOR TWO BEARS PARK PLAYGROUND EQUIPMENT

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

WHEREAS, Resolution No. 919 was adopted on September 20, 2005 authorizing the
Town Clerk to publish and post a Notice to Bidders for the purchase and installation of
playground equipment for the Two Bears Park; and

WHEREAS, the resolution contained the incorrect publishing date and bid opening date.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby
authorized to post and publish the corrected Notice to Bidders in the September 29, 2005
issue of the official town newspaper; and

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

THE VOTE

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

THE RESOLUTION ~~X~~ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals to provide and install playground equipment in the Town Bears Park will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:05 am on October 5, 2005 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about September 29, 2005 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on "Bid Requests"

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Two Bears Park Playground Equipment."

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

BY ORDER OF THE RIVERHEAD TOWN BOARD
Barbara A. Grattan, Town Clerk
Riverhead, New York

Dated: October 4, 2005

Adopted

TB 10/4/05

TOWN OF RIVERHEAD

RESOLUTION #972
Adopted OCTOBER 4, 2005

AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR BIDS ON
CONSTRUCTION AND DEMOLITION CONTAINERS

COUNCILWOMAN SANDERS OFFERED THE FOLLOWING

RESOLUTION WHICH WAS SECONDED BY COUNCILMAN DENSIESKI

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for Construction and Demolition Containers for the use of the Town of Riverhead Highway Department, AND BE IT,

RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highways, and all bids to be returnable up to 11:00 A.M. on OCTOBER 24, 2005, AND BE IT FURTHER,

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to open publicly and read aloud on October 24, 2005 at 11:00 A.M. at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "BID ON CONSTRUCTION and DEMOLITION CONTAINERS".

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

HIGHWAY DEPARTMENT

NOTICE TO BIDDERS

Sealed bids for **“CONSTRUCTION AND DEMOLITION CONTAINERS”** for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until **11:00 A.M. on OCTOBER 24, 2005.**

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

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

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

All bids will be submitted in a sealed envelope bearing the designation **“BID on CONSTRUCTION AND DEMOLITION CONTAINERS”**.

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

October 4, 2005

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 973

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE TO BIDDERS FOR THE ANNUAL ASPHALT CONTRACT

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for the Annual Asphalt Contract in the October 13, 2005 issue of the official Town newspaper or by visiting the Town of Riverhead website: www.riverheadli.com and click on "Bid Requests"; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E., Mark Kwasna, Dave Cullen 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

Engineering

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the Town of Riverhead Annual Asphalt Contract will be received in the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 am October 26, 2005 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about October 14, 2005 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on "Bid Requests".

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Annual Asphalt Contract" and must be accompanied by a bid surety as stated in the Instructions to Bidders.

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

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

Dated: October 4, 2005

Adopted

October 4, 2005

TOWN OF RIVERHEAD
RESOLUTION # 974
AWARDS BID FOR GEORGE YOUNG COMMUNITY CENTER
WOOD FLOOR REPLACEMENT

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

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the George Young Community Center Wood Floor Replacement project; and

WHEREAS, one (1) bid was received, opened and read aloud on the 6th day of September, 2005 in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the George Young Community Center Wood Floor Replacement project be is hereby awarded to Owen Construction in the amount of Twenty Seventy Thousand Four Hundred Thirty Three & 00/100 (\$27,433.00); and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Town Clerk to return any and all bid bonds received in connection with the above; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Owen Construction, 101 Edwards Avenue, Calverton, NY 11933, Engineering Department and the Office of Accounting.

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

October 4, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 975

REJECTS BIDS FOR SOLID WASTE & DISPOSAL SERVICES FOR USE BY THE TOWN OF RIVERHEAD

COUNCILMAN BARTUNEK

_____ offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for SOLID WASTE & DISPOSAL SERVICES and;

WHEREAS, the bids were rejected.

NOW THEREFORE BE IT,

RESOLVED, the Town Clerk is hereby authorized to republish and repost the following public notice in the September 29, 2005 issue of the Traveler Watchman.

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

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

October 4, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 976

RATIFIES TO RE-PUBLISH ADVERTISEMENT FOR SOLID WASTE & DISPOSAL SERVICES FOR USE BY THE TOWN OF RIVERHEAD

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 SOLID WASTE & DISPOSAL SERVICES and two bids were received on the opening date of September 15th, 2005; and

WHEREAS, the bids were rejected.

NOW THEREFORE BE IT,

RESOLVED, the Town Clerk is hereby authorized to republish and repost the following public notice in the September 29, 2005 issue of the Traveler Watchman.

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

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 NOTICE TO BIDDERS

**RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES
Riverhead Refuse and Garbage District
Commencing January 1, 2006**

Sealed bids will be received until 4:00 P.M. on October 13, 2005, by the Town Clerk, 200 Howell Avenue, Riverhead, New York, 11901, for the collection, removal and disposal of solid waste from residential dwelling units in each of six (6) Contract Bid Area commencing January 1, 2006. The contracts will be bid in the alternative, one alternative will be for a contract period of five (5) years and the other alternative will be for a period of three (3) years. The bids will be publicly opened and read aloud by the Town Clerk in the meeting room in Town Hall immediately after 4:00 p.m. on OCTOBER 13, 2005.

Bid packages may be obtained on or after OCTOBER 6TH, 2005, at the Town Clerk's Office between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday or on line at www.riverheadli.com.

Each bid must be submitted on the forms furnished by the Town of Riverhead with the bid package. Each envelope containing a bid must be sealed and must clearly show the name and address of the bidder and the letter designation of the contract Bid Area which the bid applies and must state:

BID FOR COLLECTION AND DISPOSAL OF SOLID WASTE

Each bid must be accompanied by a certified check or bid bond conforming to the bid bond form set forth in the bid documents in a sum not less than Five per cent (5%) of the bid price for 2006 and payable to the "Town of Riverhead". Failure or refusal to execute the Contract and deliver the required performance security and insurance certificates, within twenty (20) days after award of contract, will result in forfeiture of the check or bid bond as liquidated damages for abandoning the Contract.

A separate bid and bid security must be submitted for each Contract Bid Area within the Riverhead Refuse and Garbage District. The bid package will be annexed to and made a part of the executed Contract.

The Town of Riverhead reserves the right to reject any or all bids, to waive irregularities and/or informalities in any bid, and to make an award in any manner consistent with law, deemed in the best interest of the Town, including limiting the number of Contract Bid Areas awarded to any one bidder.

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

TOWN OF RIVERHEAD

Resolution #977

Adopted

AUTHORIZATION TO REPUBLISH ADVERTISEMENT FOR PROPANE

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for PROPANE and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the OCTOBER 6, 2005 issue of the Traveler Watchman 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

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
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of PROPANE 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 11:20 a.m. on OCTOBER 20TH, 2005.

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. or on our website at www.riverheadli.com.

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 PROPANE.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

October 4, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 978

AUTHORIZATION TO RE-PUBLISH ADVERTISEMENT FOR THE PURCHASE OF FOOD FOR USE BY THE TOWN OF RIVERHEAD

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 FOOD and no bids were received.

NOW THEREFORE BE IT,

RESOLVED, the Town Clerk is hereby authorized to re-publish and re-post the following public notice in the October 6, 2005 issue of the Traveler Watchman.

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

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
NOTICE TO BIDDERS**

Sealed bids for the purchase of **FOOD** 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 **11:15 a.m. on OCTOBER 20TH, 2005.**

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. or on our website at www.riverheadli.com.

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 FOOD.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

October 4, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 979

AUTHORIZATION TO RE-PUBLISH ADVERTISEMENT FOR THE PURCHASE OF MEAT & POULTRY FOR USE BY THE TOWN OF RIVERHEAD

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for MEAT & POULTRY and no bids were received.

NOW THEREFORE BE IT,

RESOLVED, the Town Clerk is hereby authorized to re-publish and re-post the following public notice in the October 6, 2005 issue of the Traveler Watchman.

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

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
NOTICE TO BIDDERS**

Sealed bids for the purchase of MEAT & POULTRY PRODUCTS for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:10 A.M. ON OCTOBER 20TH, 2005.

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. or on our website at www.riverheadli.com.

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 MEAT & POULTRY PRODUCTS.

Adopted

TOWN OF RIVERHEAD

Resolution # 980

AUTHORIZATION TO RE-PUBLISH ADVERTISEMENT FOR THE PURCHASE OF DIESEL FUEL FOR USE BY THE TOWN OF RIVERHEAD

COUNCILWOMAN BLASS 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 DIESEL FUEL and no bids were received.

NOW THEREFORE BE IT,

RESOLVED, the Town Clerk is hereby authorized to republish and repost the following public notice in the October 6, 2005 issue of the Traveler Watchman.

RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the 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

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **DIESEL FUEL** for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:05 a.m. on OCTOBER 20TH, 2005.**

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. or on our website at www.riverheadli.com.

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 DIESEL FUEL.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

TOWN OF RIVERHEAD

Adopted

Resolution # 981

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR HEATING FUEL FOR USE BY THE TOWN OF RIVERHEAD

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for HEATING FUEL, and

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the OCTOBER 6, 2005 issue of the Traveler Watchman and;

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

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
NOTICE TO BIDDERS**

Sealed bids for the purchase of **#2 HEATING FUEL** 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 OCTOBER 20, 2005.**

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. or on our website @ www.riverheadli.com.

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 FUEL OIL FOR HEATING.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

October 4, 2005

TOWN OF RIVERHEAD

RESOLUTION # 982

**RATIFIES THE SUBMISSION OF A GRANT MODIFICATION
TO THE UNITED STATES DEPARTMENT OF JUSTICE**

COUNCILMAN BARTUNEK offered the following resolution, which was seconded by

COUNCILWOMAN BLASS

WHEREAS, the United States Department of Justice Local Law Enforcement Block Grant Program awarded the Town of Riverhead a grant in the amount of \$25,901 to support activities that reduce crime and improve public safety; and

WHEREAS, the scope of work will be revised to programmatic support for the East End Drug Court and equipment for the Riverhead Police Department;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby approves the grant modification.

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

mesiano_LLEBG_2003

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

October 4, 2005

TOWN OF RIVERHEAD

RESOLUTION # 983

**RATIFIES THE SUBMISSION OF A GRANT MODIFICATION
TO THE UNITED STATES DEPARTMENT OF JUSTICE**

COUNCILWOMAN BLASS offered the following resolution, which was seconded by

COUNCILWOMAN SANDERS

WHEREAS, the United States Department of Justice Local Law Enforcement Block Grant Program awarded the Town of Riverhead a grant in the amount of \$35,370 to support activities that reduce crime and improve public safety; and

WHEREAS, the scope of work was expanded to include portable radio equipment and Automatic External Defibrillators for the Police Department; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby ratifies the grant modification.

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

mesiano_LLEBG_2002

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

October 4, 2005

TOWN OF RIVERHEAD

Resolution No. 984

ESTABLISHES THE SMALL BUSINESS ADVISORY COMMITTEE AND APPOINTS MEMBERS

Councilman Densieski offered the following resolution which was seconded by COUNCILMAN BARTUNEK

WHEREAS, the Town of Riverhead supports the development and promotion of small businesses in the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead is aware of the need for a liaison group to advise the Riverhead Town Board on all matters pertaining to small business, and

WHEREAS, the Small Business Advisory Committee will apply its collective resources to positively solve Town issues, at a smaller or no cost to business and higher efficiency for the Town, while keeping regulatory remedies to truly exceptional situations and keeping the cost of compliance at a minimum,

NOW THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby establishes the Small Business Advisory Committee to serve at the pleasure of the Town Board and appoints the following individuals to act as an Advisory Board to the Riverhead Town Board on matters concerning small business:

Charles Massoud, Chair
Traci Stark
Bill London

Charlie Scheer
George Nunnaro
Jack van de Wetering

Vince Tria
Doug Dey

Liaisons: Councilman Ed Densieski
Supervisor Phil Cardinale
David Cullen, Special Projects Manager

BE IT FURTHER RESOLVED, that the Town Clerk shall hereby forward a copy of this resolution to the above-mentioned individuals.

THE VOTE

Sanders ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Bartunek ~~Yes~~ No

Cardinale ~~Yes~~ No

October 4, 2005

Adopted

Town of Riverhead

Resolution # 985

AUTHORIZES THE SUPERVISOR TO EXECUTE A STIPULATION OF SETTLEMENT AND GENERAL RELEASES WITH GARY U.S. BONDS

COUNCILMAN BARTUNEK offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute the attached Settlement Agreement authorizing the payment of the sum of \$10,000.00 to Gary U.S. Bonds d/b/a G.L.A. Music, Inc. to be paid out of funds due to the Riverhead Business Improvement District Management Association, Inc. ("RDMA") in full settlement of a contract dispute between Gary U. S. Bonds and the RDMA.; and be it further

RESOLVED, that the Accounting Department is directed to pay the sum of \$10,000.00 to Gary U.S. Bonds d/b/a G.L.A. Music, Inc. in full settlement of a contract dispute, said check shall be delivered to the Town Attorney to be forwarded to Judy Tint, Esq. Attorney for Gary U.S. Bonds d/b/a G.L.A. Music, Inc.; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Judy Tint, Esq., 310 West 72nd Street, New York, New York 10023, the Office of the Supervisor; the Office of the Town Attorney; Robert Dipple, President of the Riverhead Business Improvement District Management Association; and the Office of Accounting.

THE VOTE

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

THE RESOLUTION ___ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

SETTLEMENT AGREEMENT

This **AGREEMENT** made this of October, 2005 by and among Gary U. S. Bonds d/b/a G.L.A. Music, Inc., having a principal address at P.O. Box 878, Wheatley Heights, New York 11798 (hereinafter referred to as "Artist") and the Town of Riverhead Business Improvement District, having a principal office at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as "Town") and the Riverhead Business Improvement District Management Association, Inc. (hereinafter referred to as "RDMA"), a not for profit corporation organized under the laws of the State of New York, having its principal office at 112 Main Street, Riverhead, New York 11901.

W I T N E S S E T H:

WHEREAS, on January 25, 2005, the RDMA entered into an Artist Engagement Agreement ("Agreement") with the Artist wherein the Artist was to perform live show at the Riverhead Blues Festival on July 9, 2005; and

WHEREAS, the Agreement required the RDMA to compensate the Artist in the amount of \$13,500.00 for the July 9, 2005 performance; and

WHEREAS, the RDMA cancelled the Artist's performance scheduled for July 9, 2005; and

WHEREAS, the RDMA has agreed to compensate the Artist in the amount of \$10,000.00 for the cancelled performance and the Artist has agreed to accept said sum in full satisfaction of all claims associated with the Agreement; and

NOW BE IT THEREFORE AGREED, by and between the parties that the RMDA shall pay the Artist the sum of \$10,000.00 in full satisfaction of all claims under the Agreement. Said sum shall be paid as follows:

1. \$5,000.00 upon the Artist returning a fully executed copy of this Settlement Agreement to the Office of the Riverhead Town Attorney along with a signed payment voucher and vender application;
2. \$5,000.00 to be paid 45 days after this Settlement Agreement is fully executed; and

BE IT FURTHER AGREED, that the Town will pay the agreed upon amount out of the monthly proceeds due to the RMDA; and

BE IT FURTHER AGREED, that the parties shall exchange General Releases following the final payment.

IN WITNESS WHEREOF, the parties have executed this Settlement Agreement as of the date first written above.

ARTIST:

Gary U.S. Bonds d/b/a G.L.A Music, Inc

Riverhead Business Improvement District
Management Association, Inc.:

Robert Dippel, President

TOWN OF RIVERHEAD:

By: Philip J. Cardinale
Town Supervisor