

Barbara Grattan

**TOWN BOARD MEETING
AGENDA
ROBERT F. KOZAKIEWICZ, Supervisor**

December 2nd , 2003

**Edward Densieski, Councilman
James Lull, 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
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

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

**PUBLIC COMMENT ON ANY RESOLUTIONS LISTED
BELOW:**

COMMUNITY DEVELOPMENT AGENCY MEETING:

- #24** Authorizes the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP to act as Special Counsel in Connection with an Ejection Proceeding

REGULAR TOWN BOARD MEETING:

- #1267 Adopts a Local Law to Repeal and Replace Chapter 90 Entitled, "Special Events" of the Riverhead Town Code
- #1268 Adopts a Local Law Amending Chapter 98 Entitled, "Littering" of the Riverhead Town Code
- #1269 Adopts a Local Law Amending Chapter 46A Entitled, "Architectural Review" of the Riverhead Town Code
- #1270 Adopts a Local Law Amending Chapter 108 Entitled, "Building Permit Fees" of the Riverhead Town Code
- #1271 Adopts a Local Law Amending Chapter 52 Entitled, "Building Permit Fees" of the Riverhead Town Code
- #1272 Classifies Action of Special Permit-Hollow Properties, Inc., and Refers Petition to the Planning Board
- #1273 Amends Resolution #572-2002- Special Permit of Riverhead Center, LLC.
- #1274 Approves Amended Site Plan of Craig's Oak and More
- #1275 Approves Special Permit Application of Little Flower Children's Services
- #1276 Amends Site Plan of Sunken Pond Estates, Inc.

- #1277 Approves Site Plan of T.R.W. Realty Corp.
(Riverhead Auto Mall Expansion)
- #1278 Order Calling Public Hearing-Lease Agreement with
Sprint-RWD Plant 8
- #1279 Order Calling Public Hearing-Lease Agreement with
Sprint-RWD Plant 9
- #1280 Authorizes Town Clerk to Republish Notice of Public
Hearing- Site Plan of East Suffolk Shoppes
- #1281 authorizing the Sale of a Portion of the Town of
Riverhead Public Parking District No. 1 to Suffolk
Theater Enterprises, Inc. Pursuant to the Town of
Riverhead's East Main Street Urban Renewal Plan,
Adopted October 19, 1993, and the Petition of
Suffolk Theater Enterprises, Inc.
- #1282 Authorizes Supervisor to Release Petty Cash Monies
to Receiver of Taxes
- #1283 Approves Temporary Sign Permit of Curves
- #1284 Awards Bid for Renovations to Structure Located at
201 Howell Avenue, Riverhead
- #1285 Authorizes Town of Riverhead to Remove Rubbish,
Debris and the Cutting of Grass and Weeds from
Property Pursuant to Chapter 96 Entitled, "Trash,
Rubbish and Refuse Removal" of the Riverhead
Town Code
- #1286 Authorizes Town Clerk to Publish and Post Public
Hearing Notice to Consider the Demolition of
Building(s) owned by Alton Vaughn, Jr. Pursuant to
Chapter 54 of the Code of the Town of Riverhead
Entitled, "Unsafe Buildings and Collapsed
Structures"

- #1287 Cancels Arrears on Water Bill for Riverhead Water District Property Located on Columbus Avenue, Riverhead Occupied by the Roanoke Nursery School, Inc.
- #1288 Accepts Resignation of Richard Redican of the Farmland Select and Open Space Committee
- #1289 Abolishes Position of Parking Meter Officer
- #1290 Accepts Resignation of Secretarial Assistant
- #1291 Appoints Temporary Clerks to the Tax Receiver's Office (M. Wilhelm, N. Sollazzo)
- #1292 Reappoints Member to Architectural Review Board (J. Jacunski)
- #1293 Accepts Irrevocable Letter of Credit from 31 Main Road Riverhead Corp.
- #1294 Accepts Irrevocable Letter of Credit of J. Douglas Stark and the Agnes Stark Family Partnership, LP (Stark Mobile Homes, Inc.)
- #1295 Community Preservation Fund Budget Adjustment
- #1296 852 Roanoke Avenue Chapter 96 Budget Adjustment
- #1297 Pisacano Farmland Preservation Project Budget Adjustment
- #1298 9 Zion Street Chapter 4 Project Budget Adjustment
- #1299 Revolving Loan Program Budget Adjustment
- #1300 Riverhead Human Services Center Project Budget Adjustment
- #1301 CDBG Budget Adjustment

- #1302 Authorizes Town Supervisor to Execute Change Order for Stotzky Park Basketball Court
- #1303 Authorizes Town Supervisor to Execute Change Order for Municipal Garage Maintenance Facility Electrical- Hawkeye Construction, LLC
- #1304 Authorizes the Supervisor to Execute a Public Safety Answering Points Agency Agreement under the Enhanced 911 Program for a Grant from the County of Suffolk
- #1305 Authorizes the Attendance of a Police Officer to Training- Ethical Awareness Instructor Level Course
- #1306 Approves the Attendance at Empire State Development Zone Conference
- #1307 Authorizes the Retention of the Law firm of L'Abbate, Balkan, Colavita & Cotini, LLP in Connection with Supreme Court Litigation entitled, "Lorraine Melk Vyas AKA Tonya Reins V. Town Justice, Allen M. Smith"
- #1308 201 Howell Avenue Town Hall Annex Budget Adoption
- #1309 Rejects Bid for Prefabricated Restroom Building and Authorizes Town Clerk to Repost and republish the attached Notice to Bidders
- #1310 General Fund Budget Adjustment
- #1311 Approves Application of Sound Housing, LLC to be Exempted from Local Law "Moratorium on Residential Development"
- #1312 Approves Site Plan of Crown Recycling (Peter Rossano)
- #1313 Pays Bills

12/02/03

Adopted

TOWN OF RIVERHEAD
Community Development Agency

Resolution # 24

AUTHORIZES THE LAW FIRM OF SMITH, FINKELSTEIN,
LUNDBERG, ISLER AND YAKABOSKI, LLP, TO ACT AS SPECIAL
COUNSEL IN CONNECTION WITH AN EJECTION PROCEEDING

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

WHEREAS, pursuant to General Municipal Law and in furtherance of "urban renewal" at the EPCAL site following a public hearing held on the CDA Board determined Northeast Holdings, LLC to be a "qualified and eligible sponsor" for an urban renewal of the EPCAL site and in accordance with the Town's urban renewal plan, and

WHEREAS, in accordance with the determination that Northeast Holdings, LLC was a qualified and eligible sponsor as aforesaid, the Town of Riverhead Community Development Agency entered into an agreement with Northeast Holdings, LLC which agreement gave Northeast Holdings, LLC the ability to utilize the 10,000 foot runway at EPCAL in connection with certain property located at the site, and

WHEREAS, in accordance with Northeast Holdings, LLC's "qualified and eligible sponsor designation" and the representations made by Northeast Holdings, LLC at the public hearing on the matter, the runway use agreement authorized the use of the runway in conditioned upon the runway being used in connection with certain lands that it was in contract to purchase land from M-GBC, LLC to further its business plan, and

WHEREAS, Northeast Holdings, LLC has breached an essential term of the runway use agreement as it is no longer in contract with M-GBC, LLC, and

WHEREAS, Northeast Holdings, LLC has not requested re-designation as a qualified and eligible sponsor under New York State Urban Renewal Law, and

WHEREAS, Northeast Holdings, LLC has represented that regardless of its failure to meet the conditions of its of contract that it intends to continue to utilize the runway,

NOW, THEREFORE,

BE IT HEREBY RESOLVED, that the law firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, is hereby retained as special counsel in connection with the above matter and hereby authorized to commence any actions or proceedings necessary to eject Northeast Holdings, LLC from the property, and be it further

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

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, 456 Griffing Avenue, P.O. Box 389, Riverhead, New York 19901; the Office of the Town Attorney and the Office of Accounting

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

Adopted

11/18/03

TOWN OF RIVERHEAD

Resolution #1263AUTHORIZES MILLER ENVIRONMENTAL TO REMOVE ENVIRONMENTAL HAZARD ON AN EMERGENCY BASIS

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

WHEREAS, on or about November 10, 2003, a vessel sank at the dock located at East Creek Marina, Jamesport, New York which dock is owned by the Town of Riverhead and currently leased from the Town of Riverhead by East Creek Marina, Inc., and

WHEREAS, upon information and belief the sunken vessel was abandoned at the dock by the prior owner and was under the exclusive ownership and control of East Creek Marina, Inc., and

WHEREAS, the partially submerged vessel created a potential for environmental contamination of East Creek and the Peconic Bay, and

WHEREAS, in order to prevent environmental contamination it was determined that the removal of the sunken vessel was required, and

WHEREAS, pursuant to General Municipal Law §103(2)(4) when a public emergency arising out of an accident or other unforeseen occurrence which requires immediate action which cannot await competitive bidding contracts for work may be let by the appropriate board

NOW, THEREFORE

BE IT HEREBY RESOLVED, that the Miller Environmental is authorized to execute the work necessary to remove the aforementioned vessel from East Creek Marina, and be it further

RESOLVED, that the Riverhead Town Board hereby approves the payment to Miller Environmental for the work, not to exceed \$5,000.00, and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute the voucher for payment; and be it further

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

THE VOTE
Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozalick Yes No
THE RESOLUTION WAS NOT
THEREFORE ADOPTED

Adopted
72113-3174P

Special
At a ~~regular~~ meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York in said Town, on the 20th day of November, 2003, at 11:00 o'clock A.M., Prevailing Time.

PRESENT:

- ROBERT KOZAKIEWICZ
Supervisor
- ROSE SANDERS
Councilman ^{XXX woman}
- BARBARA BLASS
Councilman ^{XXX woman}
- EDWARD DENSIESKI
Councilman
- JAMES LULL
Councilman

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

-----X
 In the Matter :
 of :
 the Increase and Improvement of the :
 Facilities of the Sewer District of the :
 Town of Riverhead, Suffolk County, :
 New York. :
 :
 :
 -----X

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, consisting of the replacement

of equipment, including pumps, valves and generating equipment, at the Middle Road Sewer Pump Station, including incidental expenses in connection therewith, at a maximum estimated cost of \$845,000; and

WHEREAS, at a meeting of said Town Board duly called and held on March 19, 2002, an order was duly adopted by it and entered in the minutes specifying that the said Board would meet to consider the increase and improvement of the facilities of the Riverhead Sewer District in said Town, at a maximum estimated cost of \$845,000 and to hear all persons interested in the subject thereof concerning the same at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 16th day of April, 2002, at 7:10 o'clock P.M., Prevailing Time; and

WHEREAS, the said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in the official newspaper of this Town, on March 21, 2002, and a copy of such order was posted on March 20, 2002, on the signboard maintained by the Town Clerk of the Town of Riverhead, pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, consisting of the replacement of equipment, including pumps, valves and generating equipment, at the Middle Road Sewer Pump

Station, including incidental expenses in connection therewith, at a maximum estimated cost of \$845,000.

Section 2. This order shall take effect immediately.

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

_____	VOTING	_____

The order was thereupon declared duly adopted.

* * * * *

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

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

Designated Location(s) of posted notice	<u>Date of Posting</u>
TownClerk's Bulletin Board	November 20, 2003

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on November 20, 2003.


Barbara Dutton
Town Clerk

(SEAL)

Adopted

072113-03174P

RESOLUTION # 1265

Special

At a ~~regular~~ meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on November, 2003, at 11:00 o'clock A.M., Prevailing Time.

The meeting was called to order by Supervisor Kozakiewicz,

and upon roll being called, the following were

PRESENT: SUPERVISOR KOZAKIEWICZ
 COUNCILWOMAN SANDERS
 COUNCILWOMAN BLASSE
 COUNCILMAN DENSTESKI
 COUNCILMAN LULL

ALSO PRESENT: TOWN CLERK, BARBARA GRATTAN

ABSENT:

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

BOND RESOLUTION DATED NOVEMBER 20, 2003.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$845,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD SEWER DISTRICT IN SAID TOWN.

WHEREAS, pursuant to the proceedings heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated November 20, 2003, the Town Board of the Town of Riverhead, Suffolk County, New York, has determined it to be in the public interest to increase and improve the facilities of the Riverhead Sewer District in said Town, at a maximum estimated cost of \$845,000; and

WHEREAS, said capital project, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant effect on the environment; and

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

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

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the facilities of the Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, consisting of the replacement of equipment, including pumps, valves and generating equipment, at the Middle Road Sewer Pump Station, including incidental expenses in connection therewith, there are hereby authorized to be issued \$845,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of said specific object or purpose is \$845,000, and that the plan for the financing of the aforesaid specific object or purpose is by the issuance of the \$845,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 30 years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

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

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

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

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

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Sections 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution which takes effect immediately shall be published in the Traveler-watchman, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

_____	VOTING	_____

The resolution was thereupon declared duly adopted.

* * * * *

THE VOTE

Sanders Yes No Blass Yes No
 Bensieski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS NOT
 THEREUPON ADOPTED

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board
 of said Town, including the resolution contained therein, held on November 20, 2003, with the
 original thereof on file in my office, and that the same is a true and correct transcript therefrom and
 of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date given

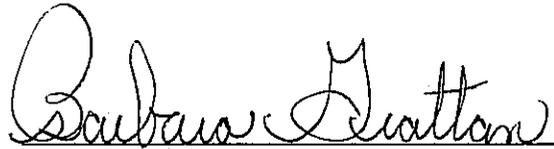
Traveler-Watchman

November 20, 2003

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

Designated Location(s) of posted notice	<u>Date of Posting</u>
Town Clerk's Bulletin board	November 20, 2003

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on November 20, 2003.



 Town Clerk

(SEAL)

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town Board of the Town of Riverhead, Suffolk County, New York, on the 20th day of November, 2003, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: Riverhead, New York
November 20, 2003

BARBARA GRATTAN, TOWN CLERK

Town Clerk

(SEAL)

November 20th, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 1266**APPROVES SITE PLAN OF TEBBENS ENTERPRISES, LLC.****COUNCILMAN DENSIESKI** offered the following resolution,which was seconded by **COUNCILMAN LULL**:

WHEREAS, a site plan and elevations were submitted by Tebbens Enterprises, LLC. for the construction of a 6,222 sq. ft. loading dock onto an existing 6,093 sq. ft. building and the placement of a 5,500 sq. ft. wind/weather shelter located at 4062 Grumman Blvd, Bldg. #704, Calverton, New York; such property more particularly described as Suffolk County Tax Map Number 0600-0600-135.1.7.16; and

WHEREAS, the Planning Department has reviewed the site plan dated May 27th, 2003, as prepared by John C. Ehlers, LS., and elevations dated September 2002, as prepared by Chander P. Nangia, P.E., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

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

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Tebbens Enterprises, LLC, for construction of a 6,222 sq. ft. loading dock onto an existing 6,093 sq. ft. building and the placement of a 5,500 sq. ft. wind/weather shelter located at 4062 Grumman Blyd., Building #704, Calverton, New York 11933, site plan dated May 27th, 2003 and as prepared by John C. Ehlers, L.S., and elevations dated September 2002, as prepared by Chander P. Nagia, P.E., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

this document, Tebbens Enterprises, LLC., hereby authorizes and consents to the Town of Riverhead to enter premises at 4062 Grumman Blvd., Building #704, Calverton, New York 11933, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(D) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
15. That all necessary permits, certificates of occupancy and certificates of compliance shall be applied for by the property owner;
16. That no building permit shall be issued prior to the connection of the premises to the appurtenances of both the Riverhead Water District and the Riverhead Sewer District; and
17. That no Certificate of Occupancy shall be issued prior to the installation of appropriate lighting at the access driveway to the satisfaction of the Planning Director; and be if further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Mr. Anthony DiResta, Tebbens Enterprises, LLC, 4062 Grumman Blvd., Bldg. #704, Calverton, New York 11933, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2003, made by Tebbens Enterprises, LLC, 4062 Grumman Blvd, Bldg. #704, Calverton, NY 11933, New York 11901, Declarant:

W I T N E S S E T H:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Tebbens Enterprises, LLC., hereby authorizes and consents to the Town of Riverhead to enter premises at 4062 Grumman Blvd., Bldg. #704, Calverton, New York 11933, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

14. That upon the installation of the appurtenances of the Calverton Sewer District the applicant shall cause a connection to same.

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

TEBBENS ENTERPRISES, LLC.

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

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

NOTARY PUBLIC

THE VOTE
Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
K... Yes No
THE RESOLUTION WAS NOT ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution # 1267

**ADOPTS LOCAL LAW TO REPEAL AND REPLACE CHAPTER 90 ENTITLED
"SPECIAL EVENTS" OF THE RIVERHEAD TOWN CODE**

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to repeal and replace Chapter 90 entitled, "Special Events" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 21st day of October, 2003 at 7:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law to repeal and replace Chapter 90 entitled, "Special Events", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler-Watchman and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Building Department; Bruce Johnson, Riverhead Fire Marshal; Chief Hegermiller and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to repeal and replace Chapter 90 entitled, "Special Events" of the Riverhead Town Code at its regular meeting held on November 5, 2003.

A copy of the entire text of the adopted local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York
November 5, 2003

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

BARBARA GRATTAN, Town Clerk

Chapter 90**SPECIAL EVENTS**

- § 90-1. Repealer.
- § 90-2. Definitions.
- § 90-3. Licensing.
- § 90-4. Conditions for granting permit.
- §90-5. Review of application; public hearings; approval or denial of permit.
- § 90-6. Application fees.
- § 90-7. Modification or recession of permit.
- § 90-8. Other approvals.
- § 90-9. Alcoholic beverages.
- § 90-10. Persons prohibited from attending.
- § 90-11. Prohibited conduct.
- § 90-12. Prohibited exhibitions.
- § 90-13. Hours.
- §90-14. Severability.
- § 90-15. Penalties for offenses.

GENERAL REFERENCES

Alcoholic beverages - See Ch. 46.
Sunday activities - See Ch. 93
Fire Prevention - See Ch 64
Outdoor Assembly - See Ch 83

§ 90-1. Repealer.

The Shows and Exhibitions Ordinance of the Town of Riverhead, adopted by the Town Board of the Town of Riverhead during codification; see Chapter 1, General Provisions, Article II, and any subsequent amendments thereto, is hereby repealed. All rules and regulations of the Town of Riverhead or any agency, department or board thereof inconsistent herewith are hereby repealed as of the effective date of this chapter

§ 90-2. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purposes of this chapter, have the meanings set forth below:

AMBULANCE CHIEF – The Chief of the Riverhead Volunteer Ambulance Corps.

CHIEF OF POLICE -- The Chief of Police of the Town of Riverhead.

FIRE CHIEF – The Fire Chief of the fire district in which the planned event shall be located.

FIRE MARSHAL--The Fire Marshal of the Town of Riverhead.

PERSON -- Any individual, firm, partnership, association, corporation, company or organization of any kind, including a charitable, religious, membership, hospital or not-for-profit corporation.

SPECIAL EVENT – Any form of entertainment, eight (8) weeks duration or less, open to the public with or without an admission fee and held on a one-time or occasional basis, which may include, but not be limited to, for example, carnivals, circuses, fairs, bazaars and outdoor shows, horse shows or exhibitions, concerts, road rallies and parades. A special event will not include any activity conducted at a permanent facility which has a valid USE Permit covering such activity. A special event shall not include any activity having less than 100 spectators at any one time during the duration of the event. Special event with less than 100 spectators expected shall apply for necessary permits under Town Code Chapter 83 and/or Town Code Chapter 64. A special event includes, but is not limited to, a temporary and exclusive use by any person of any of the following events or combination thereof; with a maximum expected attendance of more than 100 persons at any one time;

- (1) Use of amusement devices;
- (2) Carnivals or circuses, including any exhibition involving amusement attractions or rides, spectacles, animals, side shows, games and the like.
- (3) Use of inflatable devices in excess of four feet in diameter, including any hot air balloons or any other inflatable object;
- (4) Noise disturbances as defined and regulated under Chapter 81 of this code, including activities for which a variance has been granted;
- (5) Use of powered equipment requiring connection to public power supplies or separate generator or power supply equipment, including:
 - (i) heating, cooling, refrigerating or cooking devices;
 - (ii) sound amplification, public address, loud speaker, audio, video or television systems;

- (6) Racing or athletic competitions and uses including motor vehicle racing or running marathons, cross country, bicycle, moped, skateboards, roller blades, or any other contest or exhibition that is competitively times, or speed related;
- (7) Sales of alcohol beverages, including any activity requiring a special designated permit or other permit under the NYS Liquor Authority;
- (8) Sales of goods and merchandise, including food, clothing, supplies, equipment, concession, souvenirs, balloons, candy, jewelry or any other similar items offered for sale;
- (9) Use of permanent or temporary structures, including stages, booths, canopies, tents, awnings, risers, bleachers, fences, partitions, stands, or similar constructions;

Special event shall not include (i) the use of public space by governmental agencies acting within the scope of their authority or (ii) authorized uses in the public space permitted by other chapters of this title.

TOWN -- The Town of Riverhead.

TOWN CLERK -- The Town Clerk of the Town of Riverhead.

§ 90-3. Licensing.

A. Written permit required.

- (1) Special Event Short Form application – small gathering. Where 100 to 1,000 spectators are expected at any one time during the duration of the event and the event duration is twelve (12) hours or less per calendar day, no person shall use, allow, let or permit property to be used for a special event unless a special event permit has been issued by the Town Board of the Town of Riverhead.
- (2) Special Event Long Form – large gathering. Where more than 1,000 spectators are expected at any one time during the duration of the event or the event duration is more than twelve (12) hours per calendar day, no person shall use, allow, let or permit property to be used for a special event unless a special event permit has been issued by the Town Board of the Town of Riverhead.

B. Required filing date. Application for such permit shall be on the form provided by the Town Clerk, addressed to the Town Board and filed with the office of the Town Clerk in accordance with the below filing dates based on the type of special event. The Town Board, in its discretion, may provide for an expedited review for a special events permit under this Chapter.

- (1) Special Event Short Form Application shall be filed at least forty (40) calendar days prior to commencement date of special event.
- (2) For an event where more than 1,000 spectators but less than 5,000 spectators are expected at any one time during the duration of the event, a Special Event Long Form Application shall be filed at least one-hundred twenty (120) days prior to commencement date of the special event.
- (3) For an event where more than 5,000 spectators are expected at any one time during the duration of the event, a Special Event Long Form Application shall be filed at least one-hundred eighty (180) days prior to commencement date of the special event.

- C. Information and material to be submitted with completed Special Event Short Form Application. Such application shall include the following written material:
- (1) The name, age and address of the applicant; if the applicant is a corporation, the name of the corporation and the names and addresses of directors and officers of the corporation; if the applicant does not reside in Suffolk County, the name, address and phone number of any agent, who shall be a natural person and shall reside or have a place of business in the County of Suffolk and who shall be authorized to and shall agree by verified statement to accept notices or summonses issued with respect to violations of any law, ordinances, rules or regulations.
 - (2) The name and address of the record owner of the subject property or properties and the nature and interest of the applicant in the property; proposed use of town or other publicly owned property; proposed dates and hours of the special event, including setup and shutdown times; expected maximum number of persons intended to use the property at one time and collectively, including organizers, employees, vendors, exhibitors and spectators; the expected number of automobiles and other vehicles intended to use the property at one time and collectively; the purpose of the event, describing in detail the nature of the activities to be carried on and the admission fee to be charged, if any; and the name of groups, organizations, charities or individuals who shall benefit from the proceeds of the event.
 - (3) A plan and drawing showing the size of the property; the streets or highways abutting said property; the size and location of any existing building, buildings or structures or of any proposed building, buildings or structures or signs to be erected for the temporary event; the location of the stage or tents, if any, proposed to be erected; the designated areas of use for spectators, exhibitors, vendors, employees, and organizers; the location of all exits; the location of all fire extinguishers and other fire safety equipment; and the location of all temporary utilities to be installed for the event.
 - (4) A plan and drawing showing the layout of any parking area for automobiles and other vehicles and the means of ingress and egress to such parking area. Such parking area shall provide one parking space for every four persons in attendance and shall be in accordance with the Fire Marshal's setback guidelines.
 - (5) The name, address and telephone number of the person(s) who will be engaged in the preparation and sale of food.
 - (6) A plan for the use of live music, loudspeakers, horns, or other sounds which will be used, if any, and the type and location of speakers and other audio equipment.
 - (7) The name and address of the security company, if any, which will work on the premises, and a description of the duties to be performed, subject to the approval of the Chief of Police.
 - (8) A description of the communications plan to be utilized by the event organizer to facility command and control of all routine and emergency activities related to the event, subject to approval by the Chief of Police and Fire Marshal.
 - (9) A description of tents or other temporary structures, camping or housing facilities to be available, if any, and a plan showing the intended number and location of them, compliance with the applicable requirements of the NFPA Life Safety Code

(NFPA 101); the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State.

D. Information and material to be submitted with completed Special Event Long Form Application. Such application shall include the following written material:

- (1) The name, age and address of the applicant; if the applicant is a corporation, the name of the corporation and the names and addresses of directors and officers of the corporation; if the applicant does not reside in Suffolk County, the name, address and phone number of any agent, who shall be a natural person and shall reside or have a place of business in the County of Suffolk and who shall be authorized to and shall agree by verified statement to accept notices or summonses issued with respect to violations of any law, ordinances, rules or regulations.
- (2) The name and address of the record owner of the subject property or properties and the nature and interest of the applicant in the property; proposed use of town or other publicly owned property; proposed dates and hours of the special event, including setup and shutdown times; expected maximum number of persons intended to use the property at one time and collectively, including organizers, employees, vendors, exhibitors and spectators; the expected number of automobiles and other vehicles intended to use the property at one time and collectively; if there are animals, the approximate number and types of animals, the name, address and telephone number of the contractor providing and/or transporting the animals, the storage and provisions for disposal of all animal wastes; the purpose of the event, describing in detail the nature of the activities to be carried on and the admission fee to be charged, if any; and the name of groups, organizations, charities or individuals who shall benefit from the proceeds of the event.
- (3) A plan and drawing showing the size of the property; the zoning district in which it is located; the streets or highways abutting said property; the size and location of any existing building, buildings or structures or of any proposed building, buildings or structures; the type and location of all signs to be erected for the temporary event; the location of the stage or tents, if any, proposed to be erected; the designated areas of use for spectators, exhibitors, vendors, employees, and organizers; the location of all exits; the location of all fire extinguishers and other fire safety equipment; and the location of all temporary utilities to be installed for the event.
- (4) An Environmental Impact Study, if so required by the Town Attorney.
- (5) A plan and drawing showing the method to be used for the disposal of sanitary waste and sewage, subject to approval by the Town of Riverhead and Suffolk County Health Department.
- (6) A plan and drawing showing the method to be used for the supply, storage and distribution of water, subject to approval by the Town of Riverhead and Suffolk County Health Department.
- (7) A plan and drawing showing the layout of any parking area for automobiles and other vehicles and the means of ingress and egress to such parking area. Such parking area shall provide one parking space for every four persons in attendance and shall be in accordance with the Fire Marshal's setback guidelines.

- (8) Provisions to dispose of any garbage, trash, rubbish or other refuse, subject to approval by the Town of Riverhead and Suffolk County Health Department.
- (9) The name, address and telephone number of the person(s) who will be engaged in the preparation and sale of food, beer or alcohol and a copy of their State and/or County license/permit for said activity
- (10) A plan for the use of live music, loudspeakers, horns, or other sounds which will be used, if any, and the type and location of speakers and other audio equipment.
- (11) A plan for the use of lighting, if any, and the type and location of such equipment.
- (12) The name and address of the security company, if any, which will work on the premises, and a description of the duties to be performed, subject to the approval of the Chief of Police.
- (13) A description for fire protection and a map specifying the location of fire lanes and water supply for fire control, subject to approval of the Fire Chief and Fire Marshal..
- (14) A copy of the completed application filed with the Suffolk County Department of Health – Emergency Medical Services. The Town Board may require applicant to contract for its own medical and or ambulance services.
- (15) A description of the communications plan to be utilized by the event organizer to facility command and control of all routine and emergency activities related to the event, subject to approval by the Chief of Police and Fire Marshal.
- (16) A description of tents or other temporary structures, camping or housing facilities to be available, if any, and a plan showing the intended number and location of them, compliance with the applicable requirements of the NFPA Life Safety Code (NFPA 101); the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State.
- (17) A plan demonstrating that the event shall be handicap accessible to the extent practical. The applicant shall provide handicap accessibility for restroom facilities and adequate handicapped parking as close to the event as practical.
- (18) If any type of banner is to be displayed adjacent to a town, county or state road, the applicant shall include the size of the banner, location of the banner and the dates that it will be displayed and submit approvals from the appropriate County and State agencies.
- (19) A plan describing the rehabilitation of the event site to its original condition, including but not limited to rubbish and trash removal, removal of all temporary structures and restoration of all landscaping and other public property to a condition comparable to that prior to the event.

§ 90-4. Conditions for granting permit.

A. Prior to the issuance of a permit, the permittee shall furnish the town with written authorization to permit the town or its lawful agents to enter the subject property for the purpose of conducting an initial site inspection and a pre-event inspection for the protection of health, safety and welfare of citizens of the Town of Riverhead.

B. The applicant shall file with the Town Board before obtaining such license a certificate of public liability insurance covering the applicant and the Town of Riverhead for personal injuries, comprehensive general liability in an amount satisfactory to the Town Attorney, which policy shall name the town as an additional insured and shall be noncancellable without prior written

notice to the town. Said insurance policy shall be approved as to form, sufficiency and limits of coverage by the Town Attorney.

C. Where the special event will impact the health, safety and welfare, as a condition of the granting of the permit, the Town Board may require the permittee to reimburse the town for costs of police, ambulance protection and/or other Town services as may be deemed necessary by the Town Board to adequately and safely control and protect the persons attending the event, the event area and traffic in and around the area of the event. In no event, however, will the Town be obligated to provide police, ambulance protection or other Town services. Costs for such police, ambulance protection and/or other services provided by Town employees in processing the permit application shall include those over and above routine staffing, including costs for overtime and for the hiring of special police officers and or emergency medical services personnel. The estimated costs for services shall be provided to the applicant and the Town Board by written report from the Chief of Police, Ambulance Chief, Fire Marshal or other Town Department Head prior to the issuance of the permit. Based on the number of people, date of the event, the time of the event and the location of the event, the applicant shall be required to reimburse the Town for the cost of police to ensure public health and safety through the smooth flow of traffic in and around the area of the event. The applicant may be required to pay these fees prior to the event, but all fees shall be due and payable within ten (10) of rendering of an invoice for said expenses by the Town of Riverhead.

D. The Town Board may require applicant to provide a letter of credit, bond or other suitable security instrument to secure compliance with conditions in the permit and to insure adequate clean up of the property after the event. The Town Board shall set the amount by resolution, and no permit shall be issued until the security has been provided to the Town Clerk. If the applicant fails to honor the permit conditions or does not clear the property of debris seven (7) days of mailing of written notice by return-receipt requested mail, the Town may use such portion of the security as is required to remedy the situation.

E. Permit available on premise. The special event permit issued hereunder shall be displayed on the premise during the special event and shall available for inspection by a police officer or other enforcement officer of the Town of Riverhead upon request of such officer.

F. The Town may issue a permit upon such other reasonable conditions necessary to ensure compliance with this law and for the general protection of the health, safety and welfare of the persons and property in the town. The Town may require the applicant to provide notice, in a form prescribed by the Town, to any residents, business owners or persons that may be affected by the special; event.

§90-5. Review of application; approval or denial of permit.

A. All applications for a permit shall be reviewed by the Town Board, Town Attorney, Chief of Police and Fire Marshal. The Town Attorney, Chief of Police and Fire Marshal shall submit a written report to the Town Board explaining any issues and/or concerns that must be addressed concerning the application. The Fire Marshal shall obtain such further reports from local public safety organizations, including ambulance and fire districts, as appropriate. The Chief of Police shall also provide a written estimate of additional police services that shall be necessary to adequately protect the public during the event. The Town Board may also request an advisory

report from the Planning Board and from any other advisory board whose expertise and evaluation may be appropriate.

B. In determining whether to approve or deny an application, the Town Board shall consider the information provided in the application and such other information as may be available, including but not limited to:

- (1) The Environmental Impact Study
- (2) Impact of the event on the safe and orderly movement of traffic within and contiguous to the event.
- (3) Need for the town to police such event, and whether the numbers of police officers assigned to properly police such event will prevent the town from providing adequate police protection to the remainder of the Town.
- (4) Impact of the event on fire and police protection and ambulance service to the areas contiguous to the event and to the town in general.
- (5) Impact of the event on the movement of fire-fighting equipment or ambulance service to the town or to areas contiguous to the event.
- (6) Impact of the event on the general health, safety and welfare of the Town as identified through the State Environmental Quality Review process pursuant to New York State Code of Rules and Regulations, Part 6-17.
- (7) Verification that there are no outstanding violations on the property at which the event will be held or any outstanding or unsatisfied conditions of a town agency approval, including but not limited to the Planning Board or the Zoning Board of Appeals.
- (8) Verification that the information contained in the application is not found to be false or nonexistent in any material detail.
- (9) Verification that the grant of the permit would not violate any existing covenants on the property.
- (10) If one or more events are scheduled for the same date that are within a half a mile radius of each other, the Town Board will determine if there are adequate resources for all these events. If there are not sufficient resources to ensure public health and safety the Town Board shall deny one or more permits if the impacts of the vents cannot be mitigated. When deciding which event to deny the Town Board shall consider the following:
 - a. Whether the event is recurring.
 - b. Whether this recurring event has been subject to a violation within the last three years.
 - c. The date the permit application was submitted to the Town Clerk.
 - d. If events occurred the prior calendar year, the Town Board shall consider what their impact was on that area of the Town.
- (11) A donation to one or more local charities.
- (12) If an applicant is requesting a special event permit that was held he previous year, verification must be submitted from those charities listed on the previous application.

D. If permission to hold a special event is granted the permit may set forth the maximum number of persons permitted to attend the event. The Town Board, in determining the maximum

limit, shall take into consideration the capacity of the site, the facilities to be available and the availability of public highway and other means of transportation to and from the site.

E. A special event permit is not transferable and shall expire at the close of the event for which it is issued.

§ 90-6. Application fees.

A. A fee schedule will be determined by resolution of the Town Board of the Town of Riverhead for application fees required by Section 90-3A.

B. The application for a permit shall be accompanied by the appropriate application fee unless waived at the discretion of the Town Board at the time of filing application. Application fees shall be collected by the Town Clerk.

§ 90-7. Modification or rescission of permit.

If, after a permit is issued, the Town Board determines that any of the representations and/or statements contained in the application are materially inaccurate or any of the conditions of the permit have not been complied with, the Town Board may serve the permittee's agent, a Notice of Rescission of Special Permit specifying the manner in which the Permitted has not complied with the terms of its permit and/or identifying the incorrect information supplied in the application. The Town Board may for good cause modify or rescind such permit, absolutely or upon conditions.

§ 90-8. Other approvals.

A. The provisions of this chapter are not exclusive, and applicant remains subject to all other applicable governmental permits and approvals as may be required, including but not limited to, approvals/permits from the Suffolk County Department of Health, the New York State Department of Health and approvals/permits for tents, fireworks and any further permit(s) as may be required for animal shows, carnivals, circuses and similar events.

§ 90-9. Alcoholic beverages.

The applicant remains subject to the provisions of Chapter 46 of the Code of the Town of Riverhead, except upon waiver granted by the Town Board. Applicant planning to serve alcohol must receive necessary permits from NYS Liquor Authority.

§ 90-10. Persons prohibited from attending.

It shall be unlawful for the owner, proprietor, manager or person in charge of any place licensed under the provisions of this chapter, or for any employee of said place, to harbor, admit, receive or permit to be or remain in and about any such place any lewd or dissolute person, any drunken or unruly person or any person whose conduct tends in any way to corrupt the public morals or create a public safety hazard.

§ 90-11. Prohibited conduct.

A. It shall be unlawful for any person to conduct himself in an unruly manner or to use any profane, obscene or indecent language in or about any place licensed under the provisions of this chapter.

B. Attendance at a special event in excess of the attendance allowed pursuant to the permit shall be prohibited. Applicants allowing excess attendance which requires unanticipated police, Fire Marshal, fire protection, ambulance and/or EMS services shall be responsible to reimburse the public safety agency for services and fees incurred.

§ 90-12. Prohibited exhibitions and sales.

A. It shall be unlawful to give or permit the giving of any entertainment or exhibition of a lewd, suggestive, vulgar or immoral type or to use therein any indecent or obscene language or to behave in any manner tending to corrupt the public morals.

B. It shall be unlawful to sell or permit the selling of any merchandise of a lewd, suggestive, vulgar or immoral type that in any manner tends corrupt the public morals.

§ 90-13. Hours.

A. No exhibition, performance for hire, carnival, carrousel, bazaar, open-air show or place of amusement shall be open to any child under the age of seventeen (17) years between the hours of 10:00 p.m. until 9:00 a.m. of the succeeding day unless accompanied by his parents or a person over twenty-one (21) years of age.

B. No exhibition, performance for hire, carnival, circus, carrousel, bazaar, open-air show or place of amusement shall be open any day between the hours of 12:01 a.m. and 9:00 a.m. of the succeeding day, unless expressly waived by the Town Board in the Special Event Permit.

§90-14. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

§ 90-15. Penalties for offenses.

A violation of any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not less than two-hundred fifty dollars (\$250.00) nor more than one thousand dollars (\$1,000.00) for each offense or by imprisonment for a period not exceeding

thirty (30) days, or by both such fine and imprisonment. In addition to any fines imposed hereunder.

Adopted

12/2/03

TOWN OF RIVERHEAD

Resolution # 1268

ADOPTS A LOCAL LAW AMENDING CHAPTER 98 ENTITLED, "LITTERING" OF THE RIVERHEAD TOWN CODE

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 98 entitled, "Littering" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 18th day of November, 2003 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 98 "Littering", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler-Watchman Newspaper and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Riverhead Planning Board; the Riverhead Planning Department and the Riverhead Building Department.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 98 entitled, "Littering" of the Riverhead Town Code at its regular meeting held on December 2, 2003 as follows:

**Chapter 98
Littering**

§ 98-8. Dumpsters.

All dumpsters shall be fully enclosed by an appropriate screening enclosure of no less than five feet and no more than six feet in height. Said dumpster shall be equipped with a lid and shall be of durable construction. Said lid shall be closed and locked when not physically in use. In addition, the fence enclosure shall meet all of the fence specifications as set forth by the Riverhead Town Architectural Review Board. All enclosures will remain in working condition and must function properly at all times. All dumpsters in use before the effective date of this chapter shall be in compliance with said specifications set forth within six months of the effective date of this chapter. Site plan review may be waived if the enclosure meets all requirements set forth by the Architectural Review Board. All application forms shall be received by the Building Department of the Town of Riverhead.

Dated: Riverhead, New York
December 2, 2003

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

12/2/03

Adopted

TOWN OF RIVERHEAD

Resolution # 1269

**ADOPTS A LOCAL LAW AMENDING CHAPTER 46A ENTITLED,
"ARCHITECTURAL REVIEW" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILWOMAN SANDERS

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 46A entitled, "Architectural Review" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 18th day of November, 2003 at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 46A entitled, "Architectural Review" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the official newspaper of the Town of Riverhead and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department; the Planning Board; the Zoning Board of Appeals; the Building Department and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 46A entitled, "Architectural Review" of the Riverhead Town Code at its regular meeting held on December 2, 2003 as follows:

**Chapter 46A
Architectural Review**

§ 46A-2. Aspects of review.

The Architectural Review Board, in examining applications for site plan review, is to consider the various aspects of design, with special emphasis on these objectives:

C. To coordinate compliance with other municipal ordinances that affect visual impact, such as the sign regulations contained in the Zoning Code and dumpster enclosures pursuant to §98-8 of the Code of the Town of Riverhead.

§ 46A-5. Establishment; membership; terms; vacancies; removal.

A. There is hereby created an Architectural Review Board, which shall act as an advisory body to the Town Board for the purpose of site plan review, as delineated herein, and which shall approve sign permit applications submitted pursuant to § 108-56 of the Code of the Town of Riverhead and dumpster enclosures pursuant to §98-8 of the Code of the Town of Riverhead. Sign permit and/or dumpster enclosure applications which are disapproved may be appealed to the Town Board. Said Architectural Review Board shall consist of five members who shall be appointed by the Town Board on the recommendation of the Planning Director. Insofar as practicable, all members of the Board shall be competent in matters of design and interested in the design review and development of the Town of Riverhead. Three members shall be architects, designers or landscape architects. One shall be a licensed architect.

Dated: Riverhead, New York
December 2, 2003

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

12/02/03

2516
Adopted

TOWN OF RIVERHEAD

Resolution # 1270

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED,
"BUILDING PERMIT FEES" OF THE RIVERHEAD TOWN CODE**

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the day of 18th day of November, 2003 at 7:35 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 entitled, "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman Newspaper and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department; the Planning Board; the Zoning Board of Appeals; the Building Department; the Code Revision Committee and the Town Attorney's Office.

THE VOTE

Sanders	✓	Yes	_____	No	_____	Blass	✓	Yes	_____	No	_____
Densieski	✓	Yes	_____	No	_____	Lull	✓	Yes	_____	No	_____
Kozakiewicz	✓	Yes	_____	No	_____			Yes	_____	No	_____

THE RESOLUTION WAS NOT ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at a regular Town Board meeting held on December 2, 2003, as follows:

LOCAL LAW NO. OF 2003

§ 108-77. Filing fees. [Amended 6-15-1976; 10-3-1978; 11-8-1978; 12-29-1989]

A. For each appeal to the Board of Appeals, there shall be filing fees, payable upon the submission of an application, in the following amounts:

(1) Residential applications:

(a) Use or area variances and/or interpretations: one hundred fiftysixty dollars (~~\$60~~150.).

(b) Appeals in accordance with New York State Town Law, Article 16, § 280-a: twenty fivefifteen dollars (~~\$25~~15.).

(c) Structures being one hundred (100) square feet and less, including swimming pools being one hundred (100) square feet and less of surface area and of less than a three-foot depth: twenty fivefifteen dollars (~~\$25~~15.).

(2) Commercial applications:

(a) Use or area variances and/or interpretations: five hundredone hundred fifty dollars (~~\$500~~150.).

(b) Appeals in accordance with New York State Town Law Article 16, § 280-a: seventy-five dollars (\$75.).

(c) Structures being one hundred (100) square feet and less, including swimming pools and signs being one hundred (100) square feet and less of surface area and of less than a three-foot depth: one hundred fiftyseventy-five dollars (~~\$150~~75.).

B. The Board of Appeals shall have the discretion to refund a fee where it deems waiving such a fee is appropriate.

§ 108-81. Fee. [Amended 12-29-1989; 5-20-1997]

A. Prior to the filing of each application for a change or amendment of this chapter, a fee shall be paid to the Town Clerk with respect thereto in the following amounts:

(1) Change of zone petition resulting in construction of a building or buildings with a total area of less than 4,000 square feet or less shall be \$1500250.

(2) Change of zone petition resulting in construction of a building or buildings with a total area of 4,000 square feet or greater shall be \$25001,000.

B. The cost of the publication of notice of public hearing shall be paid by the applicant prior to the date of public hearing.

108-97

F. Application and fee.

(1) Sketch plan. A letter of application, together with the requisite number of copies of the sketch plan, shall be submitted to the Planning Board. All applications for the consideration of the sketch plan shall be accompanied by a fee of ~~\$ 250+00~~ plus ~~\$200+00~~ per lot for engineering fees. [Amended 12-6-1977; 11-20-1984; 9-20-1988; 12-29-1989; 3-4-1997]

(2) Preliminary plat. A letter of application, together with the requisite number of copies of the preliminary plat, shall be submitted to the Planning Board. All applications for the consideration of a preliminary plat shall be accompanied by a fee of \$500 per acre or part thereof or ~~\$2500200~~, whichever is greater, if a sketch plan as been submitted. ~~In the event that a sketch plan has not been submitted for consideration by the Planning Board, applications for preliminary plat consideration shall be accompanied by a fee of \$100, plus the engineer fee of \$100 per lot, plus the aforementioned preliminary plat fee of \$100 or \$5 per acre, whichever is greater.~~ [Amended 12-6-1977; 11-20-1984; 9-20-1988; 12-29-1989; 3-4-1997]

(3) Final plat. A letter of application, together with the requisite number of copies of the final plat, shall be submitted to the Planning Board. When an applicant applies for a final plat without first having applied for preliminary plat approval, the fee imposed shall be that set forth in subparagraph (2) above. Otherwise there shall be no additional fee for Final Plat approval ~~The fee for final subdivision shall be waived, unless a subdivider submits the final plat together with the data required for the preliminary plat, in which case the application shall be accompanied by a fee of one hundred dollars (\$100.), plus five dollars (\$5.) per acre or part thereof in the proposed subdivision or one hundred dollars (\$100.), whichever is greater.~~ [Amended 12-6-1977; 11-20-1984; 9-20-1988; 12-29-1989]

(4) The applicant shall erect a sign giving notice that an application to the Planning Board is pending and giving the date, time and place where the regular meeting for consideration of the application, or adjourned date, will be held. The sign will be furnished by the Town of Riverhead. It shall not be set back more than ten (10) feet from the property line and shall not be less than two (2) nor more than six (6) feet above the grade at the property line. It shall be displayed for a period of not less than seven (7) days immediately preceding a regular meeting for consideration of the application or any adjourned date. The applicant shall file with the Planning Board an affidavit that he has complied with the provisions of this section. No application shall be considered unless such affidavit has been filed.

(5) Engineering fee. Prior to the adoption of a final conditional approval resolution by the Planning Board, the applicant must post a fee in an amount equal to 106% of the estimated improvements, as estimated by the engineering consultant to the Planning Board, which shall be paid to the Town of Riverhead. Such fee shall be diminished in an amount equal to all engineering fees previously paid, subdivision being granted, the applicant must post engineering fees in the amount of \$100 per lot to cover any potential expense to the town for engineering services, as follows: \$50 at the time of the submission of the preliminary plat. The Planning Board may waive all or part of said fee where the Planning Board determines that no additional engineering services are required. No applicant shall have any claim for the return of such fee or portion thereof. [Added 12-6-1977; amended 5-16-1978; 3-4-1986; 12-29-1989; 3-4-1997]

~~(6) No final major subdivision plat shall be signed by the Chairman of the Planning Board until a fee equal to an amount of five percent (5%) of the total cost of the estimated improvements, as estimated by the engineering consultant of the Planning Board, shall be paid to the Town of Riverhead. Such fee shall be diminished in an amount equal to all engineering fees previously paid pursuant to Subsection F(5) hereinabove. [Added 8-5-1986]~~

108-131

B. Formal application.

(1) Subsequent to preliminary review, an application for site plan approval shall be made on the form for the same provided by the Planning Department. Twelve copies, plus additional copies as may be required by other levels of government with jurisdiction over the site, of the application, a current survey prepared by a licensed surveyor, the site plan (if separate from the survey) and any other submission or exhibit required by this article shall be submitted, together with the appropriate fee, to the Planning Department.

(2) The Planning Department shall reject any application if it is not so complete or in conformance, and shall notify the applicant as to the reason for such rejection.

(3) For each application for site plan approval submitted to the Planning Department under the provisions of this chapter, the review fee shall be ~~\$250~~500, plus \$0.1005 per square foot of site improvements and/or altered area. The fee to review an application to amend a previously approved site plan shall be \$500. In no instance shall a site plan review exceed ~~\$25,000~~15,000. Review fees shall be paid in of 1/2 the fee paid prior to Planning Department's submission of the completed site plan to the Town Clerk and the remaining 1/2 paid prior to Town Board resolution.

§ 108-133.4. Application procedure.

D. Fees. The fee for the review of a special permit application which would result in the construction of a building(s) or a disturbed area of 4,000 square feet or less shall be ~~\$500~~²⁵⁰. The fee for the review of a special permit application for the construction of a building(s) or disturbed area of 4,000 square feet or greater shall be ~~\$2,000~~^{1,000}. The required fee shall be paid upon submission of the application to the Town Clerk.

Adopted

12/02/03

TOWN OF RIVERHEAD

Resolution # 1271

**ADOPTS A LOCAL LAW AMENDING CHAPTER 52 ENTITLED,
"BUILDING PERMIT FEES" OF THE RIVERHEAD TOWN CODE**

 COUNCILMAN LULL offered the following resolution, was
seconded by

 COUNCILWOMAN BLASS :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 52 entitled, "Building Permit Fees" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the day of 18th day of November, 2003 at 7:30 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 52 entitled, "Building Permit Fees", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman Newspaper and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department; the Planning Board; the Zoning Board of Appeals; the Building Department; the Code Revision Committee and the Town Attorney's Office.

X:\Dawn Thomas\code revision\fees change resol adopt.doc Y:\Dawn\code-revision\adoption-resol.dee

THE VOTE

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

THE RESOLUTION WAS NOT
THEREUPON BEING ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law repealing and replacing Chapter 52 entitled, "Building Permit Fees" of the Riverhead Town Code at a regular Town Board meeting held on December 2, 2002as follows:

LOCAL LAW NO. OF 2003

A LOCAL LAW amending Chapter 52 of the Code of the Town of Riverhead entitled: "Building Permit Fees"

BE IT ENACTED by the Town Board of the Town of Riverhead as follows:

Building Permit Fees

§52-10

C. [Amended 1-16-1973; 11-20-1984; 12-4-1984; 12-29-1989; 12-17-1991; 5-20-1997; 3-3-1998] For each building permit where the construction cost shall exceed \$1,000, an additional fee of ~~seven \$7~~ twelve dollars \$12 -per thousand dollars, or fraction thereof, in addition to the ~~minimum fee of forty-five \$45.00~~ One Hundred Dollars \$100. The basis for computing construction costs shall be the square feet of the floor area of the proposed building in relation to the proposed use of said building and/or the cost thereof may be based on current Marshall Swift Valuation cost estimates using local regional multipliers and/or as follows:

- (1) Dwellings, one- and two-family: main story, fifty seventy-five dollars (~~\$7550.~~) per square foot; additional stories, twentyforty dollars (~~\$420.~~) per square foot.
- (2) Multiple-family dwellings, apartments, condominiums, hotels, motels, boardinghouses, labor camps and nursing and convalescent homes: main story, seventy-ninety dollars (~~\$9070.~~) per square foot; additional stories, fiftytwenty-five dollars (~~\$555.~~) per square foot.
- (3) Private garages, attached or detached: forty twenty dollars (~~\$420.~~) per square foot.
 - (a) Agricultural buildings: farm buildings used for agricultural use, not as an accessory use to a residence: fiftythirty dollars (~~\$3050.~~) per square foot.
 - (b) Plastic greenhouses: buildings used for agricultural use, not as an accessory use to a residence, thirtyten dollars (~~\$3010.~~) per square foot.
- (4) Accessory and utility buildings: main story, fifty twenty dollars (~~\$25.~~) per square foot; additional stories, fifteen twenty-five dollars (~~\$2515.~~) per square foot.
- (5) Mercantile, business and office buildings, garages and service stations, places of public assembly, assembly halls and clubhouses: main story, eighty sixty dollars (~~\$860.~~) per square foot; additional stories, seventy dollars (~~\$70.~~) per square foot.
- (6) Factory buildings and warehouses (finished types): main story, sixty-eighty dollars (~~\$680.~~) per square foot; additional stories, fifty dollars (~~\$7550.~~) per square foot.
- (7) Factory buildings and warehouses (unfinished types): main story, eighty dollars (~~\$80.~~) per square foot; additional stories, seventy-fifty dollars (~~\$750.~~) per square foot.
- (8) Foundation only: sixty-forty dollars (~~\$640.~~) per linear foot.
- (9) The fee for a permit to demolish a building shall be forty-sixty dollars (~~\$6040.~~) for a small building up to one thousand (1,000) square feet and ninety-five dollars (~~\$95.~~) for a large building of more than one thousand (1,000) square feet.

(10) The fee for a duplicate certificate of occupancy shall be ~~fifty-one hundred fifty dollars (\$15050.)~~, and letters of preexisting use and inspection above the maximum shall be ~~one hundred fifty fifty dollars (\$150.)~~ each.

(11) The fee for a renewal permit shall be ~~fifty-seventy-five percent (7550%)~~ of the original fee paid. The fee must be paid within 30 days of the expiration fee.

(12) The fee to move a building to a new location: ~~seventy five (75%) fifty percent (50%)~~ of the fee computed in accordance with Subsection C above.

(13) All fees paid pursuant to this section are non-refundable.

~~D. No fee shall be charged for bona fide religious, charitable or educational organizations where such exemptions are consistent with provisions applicable to taxes generally.~~

(14) Duplicate inspection fee. The Building Inspector may charge a duplicate inspection fee for any inspection that must be repeated due to the failure of the applicant to meet the inspection criteria. The duplicate inspection fee for residential properties shall be \$200.00. The duplicate inspection fee for commercial properties shall be \$350.00.

E. Preconstruction fee. If any land clearing or excavation or building or commencement of any construction activity is without the benefit of applicable town permits, all fees associated with any land clearing or excavation or building or construction activity will be equal to ~~triple~~ double the otherwise applicable fee for all permits as provided by the Town Code. [Added 4-6-1999 by L.L. No. 4-1999].

Adopted

December 2, 2003

TOWN OF RIVERHEAD

Resolution # 1272

CLASSIFIES ACTION OF SPECIAL PERMIT HOLLOW PROPERTIES, INC., AND REFERS PETITION TO THE PLANNING BOARD

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Hollow Properties, Inc. pursuant to Article XXVIA and Section 108-21 B.(3) of the Riverhead Town Code to renovate an existing barn located on a 78.4ac. parcel zoned Agriculture A and Residence C for its conversion to a second residence; such property more particularly described as SCTM 0600-39-4-3.7, and

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

WHEREAS, the Riverhead Planning Department has reviewed these materials and has determined the petition to be a Type II action pursuant to 6NYCRR Part 617.5(c)(9), and

WHEREAS, pursuant to 617.3(f), 617.5(a) and 617.6(a)(1)(i) agency SEQR responsibilities end with this designation, no determination of significance being necessary, and

WHEREAS, the Town Board desires the recommendations of the Riverhead Planning Board respecting planning and zoning issues, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares the special permit application of Hollow Properties, Inc. to be a Type II action, and

BE IT FURTHER

RESOLVED, that the Town Clerk be directed to refer the petition to the Riverhead Planning Board for their review and recommendation and is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant or his agent.

Planning/JBH

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON LEGALLY ADOPTED

December 2, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 1273

AMENDS RESOLUTION #572 OF 2002 – SPECIAL PERMIT OF RIVERHEAD CENTRE, LLC

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

WHEREAS, by resolution #572 of May of 2002, the Riverhead Town Board did amend an existing special permit approval of the Riverhead Centre, LLC to substitute additional retail and commercial space for former theater space , and

WHEREAS, such resolution required the completion of the construction of the Riverhead Centre within three years from the date of the original special permit approval, and

WHEREAS, the applicant has requested an additional year to complete construction, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby amends resolution #572 of May, 2002 to rescind the stated completion date of February 5, 2004 and approve a completion date of May 22, 2005, and

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to the Planning Board, Planning Department, Building Department and Riverhead Centre, LLC or their agent.

Rh/planning

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON BEING ADOPTED

AdoptedDecember 2nd, 2003

TOWN OF RIVERHEAD

Resolution # 1274**APPROVES AMENDED SITE PLAN OF CRAIG'S OAK AND MORE
(WIN PROPERTIES)**

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

WHEREAS, a site plan and elevations were submitted by, David Lantz to undertake building and site improvements to an existing 8,400 sq. ft. building to locate a new retail use, located at Old Country Road (CR58), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-3-12; and

WHEREAS, the Planning Department has reviewed the site plan dated November 13th, 2003, as prepared by Chuck M. Thomas, R.A. and elevations dated November 17th, 2003, as prepared by Chuck M. Thomas, R.A. and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 2003-1003 of the Office of the Supervisor of the Town of Riverhead; and

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Type II pursuant to 6NYCRR Part 617.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by David Lantz to undertake building and site improvements to an existing 8,400 sq. ft. building to locate a new retail use, located at Old Country Road (CR58), Riverhead, New York, site plan dated November 13th, 2003, as prepared by Chuck M. Thomas, R.A., and elevations dated November 17th, 2003, as prepared by Chuck M. Thomas, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

this document, hereby authorizes and consents to the Town of Riverhead to enter premises at Old Country Road (CR58), Riverhead, New York, to enforce said handicapped parking regulations;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to David S. Lantz, LSM Development Corp., 45 East Main Street, Riverhead, New York, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2003, made by Winkal Holdings, LLC, residing at, 66 Field Point Road, Greenwich, Connecticut, residing at, Declarant:

W I T N E S S E T H:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, hereby authorizes and consents to the Town of Riverhead to enter premises at Old Country Road (CR58), Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

WINKAL HOLDINGS LLC.

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

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

NOTARY PUBLIC

Adopted

12/02/03

TOWN OF RIVERHEAD

Resolution # 1275

**APPROVES SPECIAL PERMIT APPLICATION OF LITTLE FLOWER
CHILDREN'S SERVICES**

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

WHEREAS, an application was submitted to the Town Board for a special permit pursuant to §§ 108-133.3 and 108-51A to allow the construction of 15,165 square foot respite care and infirmary building as part of an pre-existing, non-conforming child services facility on a parcel of land zoned Residence A; such property more particularly described as Suffolk County Tax Map Number 0600-36-1-2; and

WHEREAS, pursuant to resolution #307 of 2002, the Town Board did declare itself lead agency pursuant to 6 NYCRR Part 617 (SEQRA), and

WHEREAS, by resolution, the Town Board did refer the special permit petition to the Town of Riverhead Planning Board for its report and recommendation, and

WHEREAS, on June 27, 2002, the Planning Board resolved to recommend approval of the application subject to the following conditions: 1) that the proposed building will only be used for respite and infirmary purposes; 2) that no building permit be issued until a site plan has been approved by the Town Board pursuant to Article XXVI of the Riverhead Town Code and 3) that the contemplated site plan shall depict all buildings to be demolished or removed, and

WHEREAS, on September 3, 2003, a public hearing was held on the special permit petition of Little Flower Children's Services before the Town Board at which all testimony was given under oath, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the recommendation of the Riverhead Planning Board, the sworn testimony given at the public hearing, as well as all relevant planning, zoning and environmental information,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby finds:

FIRST: That the subject premises lies within the Residence A Zoning Use District;

SECOND: That the real property is improved as a children's services facility prior to the initiation of zoning in the Town of Riverhead, and

THIRD: That §108-51A of the Riverhead Town Code provides for the expansion of a pre-existing non-conforming use as a specially permitted use, and

FOURTH: That the current use of the applicant's property constitutes a legal, pre-existing, non-conforming use, and

FIFTH: That the applicant has met the requirements of Town Law §274-b for the issuance of the special permit in that the proposed special permit use is in harmony with the existing zoning and that it will not adversely affect the neighborhood.

BE IT FURTHER,

RESOLVED, that based upon its findings, the Town Board of the Town of Riverhead hereby approves the special permit of Little Flower Children's Services subject to the following conditions:

- 1) that the proposed building will only be used for respite and infirmary purposes;
- 2) that no building permit be issued until a site plan has been approved by the Town Board pursuant to Article XXVI of the Riverhead Town Code;
- 3) that the contemplated site plan shall depict all buildings to be demolished or removed
- 4) that covenants and restrictions reciting the conditions in a form to be approved by the Town Attorney be recorded against the subject property

BE IT FURTHER,

RESOLVED, that copies of this resolution be forwarded to the Planning Department, Town Attorney, Building Department and Steven Losquadro, Esq.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

December 2nd, 2003

TOWN OF RIVERHEAD

RESOLUTION # 1276

AMENDS SITE PLAN OF SUNKEN POND ESTATES, INC.

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS.

WHEREAS, by Resolution #1237, dated December 30th, 1999, the Riverhead Town Board did approve the site plan of Sunken Pond Estates, Inc. for construction of condominiums on real property more particularly described as Suffolk County Tax Map No. 0600-64-02-7.49; and

WHEREAS, Sunken Pond Estates, Inc. has requested that a modification of said site plan be approved in regard to installation of a rear deck from the dining room of building to the exclusion of the deck approved from bedroom number two (2); and

WHEREAS, the Planning Department has reviewed such modification and had recommended that the Town Board accept such modification; and

WHEREAS, this Town Board has reviewed the modification aforementioned.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Riverhead approves the amended site plan as prepared by George Dirr, R.A. and dated June 4th, 2002; and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Brian A. Fullerton, Sunken Pond Estates, Inc., PO Box 1442, Riverhead, New York 11901, Charles Cuddy, Esq., the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office and Office of the Town Attorney.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopted

December 2, 2003

TOWN OF RIVERHEAD

Resolution # 1277

APPROVES SITE PLAN OF T.R.W. REALTY CORP. (RIVERHEAD AUTO MALL EXPANSION)

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

WHEREAS, a site plan and elevations were submitted by Peter Danowski as agent for T.R.W. Realty Corp., to increase a previously approved addition to an existing 20,000 sq. ft. auto sales and service facility, the floor area from 10,000 sq. ft. to 14,000 sq. ft., located at the north side of Old County Road, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-119-1-3, 4 & 5; and

WHEREAS, the Planning Department has reviewed the site plan dated September 2nd, 2003, as prepared by Young and Young L.S., and elevations dated May 10, 1999 as prepared by David Hodukavich, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Planning Department has determined that both the land use and proposed building area is in conformance with the Town of Riverhead Comprehensive Plan; 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 a(n) Type II Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; 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 2203 - of the Office of the Supervisor of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Peter Danowski as agent T.R.W. Realty Corp., to increase a previously approved addition to an existing 20,000 sq. ft. auto sales and service facility, the floor area from 10,000 sq. ft. to 14,000 sq. ft. located at the north side of Old Country Road, Riverhead, New York, site plan dated September 2nd, 2003, as prepared by Young and Young, L.S., and elevations dated May 10th, 1999, as prepared by David Hodukavich, R.A. be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

this document, T.R.W. Realty hereby authorizes and consents to the Town of Riverhead to enter premises at the north side of Old Country Road, Riverhead, New York, to enforce said handicapped parking regulations;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter Danowski as agent for T.R.W. Realty Corp., the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Class	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		Kozakiewicz		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS WAS NOT
THEREUPON FULLY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2003, made by T.R.W. Realty Corp., residing at 1800 Old Country Road, Riverhead New York 11901, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , “Trash, Rubbish and Refuse Disposal,” and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, “No Parking, Handicap Only,” and the universal symbol affixed thereto. Further, by execution and filing of this document, T.R.W. Realty Corp. hereby authorizes and consents to the Town of Riverhead to enter premises at Old Country Road, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all 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 no disturbance of any kind will occur within an area measured thirty (30) linear feet from the easterly property line and along such easterly property line in its entirety.

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

T.R.W. REALTY CORP.

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

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

NOTARY PUBLIC

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 1278

ORDER CALLING PUBLIC HEARING
LEASE AGREEMENT WITH SPRINT
WATER DISTRICT

ADOPTED _____

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

WHEREAS, Sprint Spectrum, LP doing business as Sprint PCS, has made an application to the Town Board of the Town of Riverhead to consider leasing a portion of the tank site owned by the Riverhead Water District located at Baiting Hollow, New York, known as Plant 8, under the terms and conditions set forth herein, and

WHEREAS, pursuant to Town Law, it is necessary to call a public hearing for all persons wishing to be heard concerning the lease to set forth their comments,

NOW, THEREFORE; BE IT

RESOLVED, that the Town Board, as governing body of the Riverhead Water District, hereby calls a public hearing to consider the application of Sprint PCS to enter into a lease with the Riverhead Water District,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on the 16th day of December, 2003, at 2:25 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to entering into a lease agreement with Sprint PCS, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the December 4th edition of The Long Island Traveller Watchman, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Gary Pendzick, Frank Isler, Esq., Sprint Spectrum LP, and the Accounting Department.

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

Dated: December 2, 2203
Riverhead, NY

RESOLUTION PREPARED FOR THE RIVERHEAD WATER DISTRICT BY FRANK ISLER

THE VOTE

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

THE RESOLUTION WAS WAS NOT _____
THEREUPON BEING ADOPTED

TOWN OF RIVERHEAD

RESOLUTION # 1279

Adopted

ORDER CALLING PUBLIC HEARING
LEASE AGREEMENT WITH SPRINT
WATER DISTRICT

ADOPTED _____

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

WHEREAS, Sprint Spectrum, LP doing business as Sprint PCS, has made an application to the Town Board of the Town of Riverhead to consider leasing a portion of the tank site owned by the Riverhead Water District located at Wading River, New York, known as Plant 9, under the terms and conditions set forth herein, and

WHEREAS, pursuant to Town Law, it is necessary to call a public hearing for all persons wishing to be heard concerning the lease to set forth their comments,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board, as governing body of the Riverhead Water District, hereby calls a public hearing to consider the application of Sprint PCS to enter into a lease with the Riverhead Water District,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on the 16th day of December, 2003, at 2:30 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to entering into a lease agreement with Sprint PCS, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the December 4th edition of The Long Island Traveller Watchman, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Gary Pendzick, Frank Isler, Esq., Sprint Spectrum LP, and the Accounting Department.

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

Dated: December 2, 2203
Riverhead, NY

RESOLUTION PREPARED FOR THE RIVERHEAD WATER DISTRICT BY FRANK ISLER

THE VOTE					
Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
THE RESOLUTION WAS <input checked="" type="checkbox"/> WAS NOT <input type="checkbox"/>					
THEREUPON DULY ADOPTED					

12/2/03

TOWN OF RIVERHEAD
Dated December 2nd, 2003
Resolution # 1280

AUTHORIZES TOWN CLERK TO PUBLISH NOTICE OF PUBLIC HEARING – SITE PLAN OF EAST SUFFOLK SHOPPES

COUNCILMAN DENSIESKI offered the following resolution

which was seconded by **COUNCILMAN LULL**

WHEREAS, a site plan application was submitted by Robert Stromski, AIA, on behalf of East Suffolk Shoppes for construction of a shopping/office center of three buildings with aggregate area of 17,990 sq. ft. together with related improvements, upon such real property located at the northwest corner of Kay Road and Middle Country Road, Wading River, New York; such real property more particularly described as Suffolk County Tax Map No. 0600-115.1-1-22; and

WHEREAS, the environmental review of the project performed by the Riverhead Planning Department identified potentially significant adverse impacts with respect to the project's non-conformity to the Riverhead Comprehensive Plan and the intensity of commercial development; and

WHEREAS, the Town Board desires to hold a public hearing on this matter.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Town Clerk to publish and post the following Notice of Hearing.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of December, 2003 at 2:35 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901, to consider the site plan application of East Suffolk Shoppes to allow construction of a shopping/office center of three buildings with aggregate area of 17,990 sq. ft. together with related improvements upon real located at the northwest corner of Kay Road and Middle Country Road (SR25), Wading River, New York; such real property more particularly described as Suffolk County Tax Map No. 0600-115.1-1-22.

DATED: December 2nd, 2003
Riverhead, New York

BY ORDER OF THE TOWN CLERK
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

Planning Dept/RH

Adopted

12/02/03

TOWN OF RIVERHEAD

Resolution # 1281

**AUTHORIZING THE SALE OF A PORTION OF THE TOWN OF RIVERHEAD
PUBLIC PARKING DISTRICT NO. 1 TO SUFFOLK THEATRE ENTERPRISES,
INC., PURSUANT TO THE TOWN OF RIVERHEAD'S EAST MAIN STREET
URBAN RENEWAL PLAN, ADOPTED OCTOBER 19, 1993, AND THE PETITION
OF SUFFOLK THEATRE ENTERPRISES, INC.,**

COUNCILMAN DENSIESKI offered the following resolution, was

seconded by COUNCILMAN LULL :

WHEREAS, that the Town Board of the Town of Riverhead, as the governing body of the Riverhead Public Parking Improvement District No. 1 held a public hearing pursuant to Article 12 of the New York State Town Law, on November 18, 2003 at 7:05 o'clock in the afternoon to declare the premises described herein as not required for the purposes of the aforesaid Improvement District and authorizing the sale thereof to Suffolk Theatre Enterprises, Inc. pursuant to the Town of Riverhead's East Main Street Urban Renewal Plan, previously adopted October 19, 1993, and the petition of Suffolk Theatre Enterprises, Inc., dated October 20, 2003 and filed with the Town Board, for the purchase price of \$10,000.00 as more particularly shown on the Map of Joseph A. Ingegno, Land Surveyor, dated March 18, 2003 which has been filed with the Town Board, and

WHEREAS, there was no opposition to the proposed sale expressed at the public hearing or in any other manner to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that the sale described herein is part of an urban renewal project (the Suffolk Theatre project) which has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, and be it further

RESOLVED, based upon the foregoing, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute a letter addendum of the Contract of Sale between Suffolk Theatre Enterprises, Inc. and the Town of Riverhead

Community Development Agency dated October 3, 2003, such that the sale of the municipal parking district premises (more particularly described in the attached Exhibit) will be transferred pursuant to the same terms and conditions identified in the October 3, 2003 contract, and be it further

RESOLVED, that Suffolk Theatre Enterprises, Inc. at its sole cost and expense shall develop a site plan in a form acceptable to the Town Board to expand the existing Suffolk Theatre and to improve the adjacent parking lot with suitable curbing and plantings.

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution the Town Attorney, Andrea Lohneiss, Director of the Community Development Agency; James A. Gowan, Esq., attorney for petitioner.

THE VOTE

Sanders ✓ Yes ___ No Blass ✓ Yes ___ No
 Densieski ✓ Yes ___ No Lull ✓ Yes ___ No
 Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS NOT
 THEREUPON ADOPTED

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1282

AUTHORIZES SUPERVISOR TO RELEASE PETTY CASH MONIES TO RECEIVER OF TAXES

COUNCILWOMAN SANDERS offered the following resolution which was seconded by COUNCILMAN LULL

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

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

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD
Resolution # 1283

APPROVES TEMPORARY SIGN PERMIT OF CURVES

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

WHEREAS, a temporary sign permit and sketch were submitted by Jeanette DiCarlo for property located at 6263 Route 25A, Wading River, New York; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application for a banner submitted by Jeanette DiCarlo for Curves; and be it

RESOLVED, that said temporary sign permit shall expire on February 29, 2004 and the applicant shall remove the affected sign, in its entirety, on or before said date; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jeanette DiCarlo, 36 Soundview Dr., Belle Terre, New York 11901, the Planning Department and the Building Department.

THE VOTE

Lull Yes No

Densieski Yes No

Sanders Yes No

Blass Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

December 2, 2003

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1284

AWARDS BID FOR RENOVATIONS TO STRUCTURE LOCATED AT 201 HOWELL AVENUE, RIVERHEAD

COUNCILMAN DENSIESKI 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 the renovations to the structure located at 201 Howell Avenue; and

WHEREAS, two (2) bids were received, opened and read aloud on the 16th day of October, 2003 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the renovations to the structure located at 201 Howell Avenue, Riverhead to LSM Development in the amount General Construction \$120,584.00, Plumbing \$8,115.00, Mechanical \$26,727.00, Electrical \$58,634.00 for a total of Two Hundred Fourteen Thousand Sixty Dollars & 00/100 (\$214,060.00); 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 LSM Development, 20 Meadow Lane, Riverhead, NY 11901, Kenneth Testa, P.E., Leroy Barnes and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON FULLY ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution # 1285

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

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

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

WHEREAS, property located at 102 Shade Tree Lane, Aquebogue also known as Suffolk County Tax Map Number 0600/085.00-03-026.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon William J. & Dorothy Goff, PO Box 297, Aquebogue, New York 11931 by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

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

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to William J. & Dorothy Goff, PO Box 297, Aquebogue, New York 11931; the Building Department, Kenneth Testa, P.E., the Tax Receiver's Office and the Office of the Town Attorney.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located at **102 Shade Tree Lane, Aquebogue, New York**, further described as Suffolk County Tax Map #**0600-085.00-03-026.00**, to be cleaned of all rubbish, refuse and other debris, and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Dated: Riverhead, New York
December 2, 2003

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

STATUS _____

December 2, 2003

TOWN OF RIVERHEAD*Resolution # 1286*

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC HEARING NOTICE TO CONSIDER THE DEMOLITION OF BUILDING(S) OWNED BY ALTON VAUGHAN JR. PURSUANT TO CHAPTER 54 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED, " UNSAFE BUILDINGS AND COLLAPSED STRUCTURES".

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by

COUNCILMAN DENSIESKI

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the demolition of certain building(s) purportedly owned by Alton Vaughan Jr., located at 205 Horton Avenue, Riverhead, New York 11901, known an designed as Suffolk County Tax #0600-081.00-02-015.00; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Alton Vaughan Jr., 205 Horton Avenue, Riverhead, New York 11901, the Fire Marshal, the Assessor's Office, Town Engineer's Office; Town Attorney's Office and the Town Building Department

THE VOTESanders Yes NoBlass Yes NoDensieski Yes NoLull Yes NoKozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD**PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of December, 2003 at 11:00 AM at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons, to consider whether the owner of real property purportedly owned by Alton Vaughan Jr., located at 205 Horton Avenue, Riverhead, known and designated as Suffolk County Tax Map#0600-081.00-02-015.00, should demolish the buildings(s) situated on said property so that the health, safety and welfare of the residents of the Town of Riverhead shall not be endangered or, if the building(s) are found to be in an unsafe condition as described pursuant to Chapter 54 of the Code of the Town of Riverhead entitled, "Unsafe Buildings and Collapsed Structures " to be repaired and secured or demolished and removed.

Dated: November 18, 2003
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, Town Clerk

Adopted

Resolution # 1287

CANCELS ARREARS ON WATER BILL FOR RIVERHEAD WATER DISTRICT PROPERTY LOCATED ON COLUMBUS AVENUE, RIVERHEAD OCCUPIED BY THE ROANOKE NURSERY SCHOOL, INC.

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

WHEREAS, the Riverhead Water District and the Roanoke Nursery School, Inc. Landlord and the Tenant entered into a lease extension agreement for premises known as the "Child Care Center" located at Columbus Ave., Riverhead, New York; and

WHEREAS, the lease agreement provides for the Roanoke Nursery School, Inc. to pay utilities including water usage; and

WHEREAS, the lease agreement further provided for the tenant to maintain the inside of the building and the Water District to maintain the exterior of the building; and

WHEREAS, there was a leak in the water supply system that created a water bill for the period August 2001 in the amount of \$931.90 of which \$775.10 remains unpaid; and

WHEREAS, it has been determined that the leak occurred in plumbing infrastructure that was the maintenance responsibility of the Water District.

NOW THEREFORE BE IT HEREBY RESOLVED, that the arrears in the amount of \$775.10 for account number 2002578500 are hereby cancelled; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Town Attorney, Andrea Lohneiss, Director of the Riverhead Community Development Agency, Gary Pendzick, Superintendent of the Riverhead Water District, Jack Hansen, Director of Accounting and Finance and Maryann Wowack Heilbrun, Tax Receiver.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON CULY ADOPTED

Adopted

12/02/03

TOWN OF RIVERHEAD

Resolution # 1288

ACCEPTS RESIGNATION OF RICHARD REDICAN OF THE FARMLAND SELECT AND OPEN SPACE COMMITTEE

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

WHEREAS, Richard Redican has notified the Town Supervisor in writing of his resignation effective December 2, 2003.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the resignation of Richard Redican.

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

THE VOTE

Sanders [X] Yes [] No Blass [X] Yes [] No
Densieski [X] Yes [] No Lull [X] Yes [] No
Kozakiewicz [X] Yes [] No

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

DECEMBER 2, 2003

TOWN OF RIVERHEAD

ABOLISHES POSITION OF PARKING METER OFFICER

RESOLUTION # 1289

COUNCILMAN LULL

offered the following resolution,

which was seconded by

COUNCILWOMAN BLASS

WHEREAS, there are currently two positions for Parking Meter Officer in the Public Parking District; and

WHEREAS, the Town Board has determined that one position is unnecessary for reasons of efficiency and economy in that current staffing levels are unnecessary to provide the appropriate enforcement services; and

NOW, THEREFORE, BE IT RESOLVED, that one Civil Service position of Parking Meter Officer be abolished as of December 31, 2003.

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

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

DECEMBER 2, 2003

TOWN OF RIVERHEAD

ACCEPTS RETIREMENT OF SECRETARIAL ASSISTANT

RESOLUTION # 1290

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

WHEREAS, Theresa Maher has notified The Town Supervisor of her retirement, from the position of Secretarial Assistant effective December 1, 2003,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the retirement of Theresa Maher.

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

THE VOTE

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

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1291

APPOINTS TEMPORARY CLERKS TO THE TAX RECEIVER'S OFFICE

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

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

NOW, THEREFORE, BE IT RESOLVED, that Matthew Wilhelm and Nicholas Sollazzo be and are hereby appointed as temporary clerks effective December 22, 2003 through January 23, 2004 at an hourly rate of compensation of

Matthew Wilhelm	\$9.50 per hour
Nicholas Sollazzo	\$9.50 per hour

and

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Matthew Wilhelm; Nicholas Sollazzo; Maryann Wowak Heilbrunn, Receiver of Taxes; and the Office of Accounting.

THE VOTE

Sanders Yes No Class Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 1292

ADOPTED December 2nd 2003

REAPPOINTS MEMBER TO ARCHITECTURAL REVIEW BOARD

COUNCILWOMAN BLASS offered the following resolution, which was

seconded by **COUNCILMAN LULL** :

WHEREAS, the term of service of Judy J. Jacunski with the Town of Riverhead Architectural Review Board will expire on December 31st, 2003, and

WHEREAS, Judy J. Jacunski has expressed her willingness to continue to serve; and

WHEREAS, the Planning Director has made his recommendation to the Town Board pursuant to Section 46 A(5) of the Code of the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that Judy J. Jacunski, be and is hereby reappointed as a member of the Town of Riverhead Architectural Review Board, effective December 31st, 2003 for a three (3) year term; and be it further

RESOLVED, that said term shall expire on December 31st, 2006; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Judy J. Jacunski, 2040 Central Drive, Mattituck, New York 11952, and to the Planning Department.

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

THE VOTE: SANDERS, YES, BLASS, YES, DENSIESKI, NO, LULL, NO, AND KOZAKIEWICZ, NO. RESOLUTION WAS THEREUPON DECLARED NOT TO BE TABLED.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS NOT *abstain*

THERE ADOPTED

TOWN OF RIVERHEAD

Tabled

Resolution #1293

ADOPTED 12/29/03

ACCEPTS IRREVOCABLE LETTER OF CREDIT FROM 31 MAIN ROAD RIVERHEAD CORP.

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, 31 Main Road Riverhead Corp., has posted an Irrevocable Letter of Credit (#170000317 from Bridgehampton National Bank) in the sum of Eighty Three Thousand Six Hundred Eighteen Dollars (\$83,618) representing the 5% site plan security as per adopted Resolution #503 dated May 6, 2003 for the work at 31 Main Road, Aquebogue, New York 11931 - Suffolk County Tax Map # 600-0084.00-05-014.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said letter of credit and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% letter of credit in the sum of Eighty Three Thousand Six Hundred Eighteen Dollars (\$83,618) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to 31 Main Road Riverhead Corp., 234 Hampton Road, Southampton, New York 11968, Philip Monastero, Baldassano Architects, Second Floor, 120 Comac Street, Ronkonkoma, New York 11779, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

(offered Res.) (SEcond)
COUNCILMAN DENSIESKI AND LULL
VOTED TO TAKE THIS RESOLUTION OFF
TABLE. ALL IN FAVOR
ALL VOTED YES TO ADOPT THIS
RESOLUTION.

COUNCILMAN DENSIESKI OFFERED THE
SOLUTION TO BE TABLED, WHICH
IS SECONDED BY COUNCILMAN LULL.

ALL MEMBERS IN FAVOR OF TABLING
SOLUTION.

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Tabled - ADOPTED 12/29/03

TOWN OF RIVERHEAD

2562
Adopted

Resolution #1294

ACCEPTS IRREVOCABLE LETTER OF CREDIT OF J. DOUGLAS AND THE
AGNES STARK FAMILY PARTNERSHIP, LP(STARK MOBILE HOMES, INC)

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by

COUNCILMAN LULL

WHEREAS, J. Douglas & the Agnes Stark Family Partnership, LP (Stark Mobile Homes, Inc.), has posted an Irrevocable Letter of Credit (Suffolk County National Bank #031124) in the sum of Fifty Thousand Dollars (\$50,000) representing the site plan bond as per #12 in Resolution #1259 dated November 18, 2003 for the construction of 82 prefabricates homes located at Old Country Road, Riverhead, New York - Suffolk County Tax Map # 600-119.00-01-023.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said letter of credit and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the letter of credit in the sum of Fifty Thousand Dollars (\$50,000) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Stark Mobile Homes, Inc. C/O Mr. Brian Stark, Glenwood Village, 1661 Old Country Road, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Sanders Yes No

alain
Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

DECEMBER 2, 2003

AdoptedTOWN OF RIVERHEADCOMMUNITY PRESERVATION FUNDBUDGET ADJUSTMENTRESOLUTION # 1295COUNCILMAN LULL

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:

		FROM	TO
737.082170.420000	DEPARTMENTAL INCOME	\$750,000	
737.099010.595384	TRANSFER TO GEN. FUND DEBT SERVICE		\$750,000

THE VOTE

Sanders Yes NoBlass Yes NoDensieski Yes NoLull Yes NoKozakiewicz Yes No

DECEMBER 2, 2003

2564

Adopted

TOWN OF RIVERHEAD

852 ROANOKE AVE. CHAPTER 96

BUDGET ADJUSTMENT

RESOLUTION # 1296

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:

		FROM	TO
406.010010.411000.41047	REAL PROPERTY TAXES	\$325	
406.086660.540000.41047	CONTRACTUAL EXP.		\$325

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

DECEMBER 2, 2003

Adopted

TOWN OF RIVERHEAD

PISACANO FARMLAND PRESERVATION PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 1297

COUNCILWOMAN SANDERS

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:

		FROM	TO
406.019400.494200.42033	SERIAL BOND PROCEEDS	\$12,400	
406.019400.521000.42033	LAND ACQUISITION		\$12,400

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Luli Yes No

Kozakiewicz Yes No

DECEMBER 2, 2003

AdoptedTOWN OF RIVERHEAD9 ZION STREET CHAPTER 54 PROJECTBUDGET ADJUSTMENTRESOLUTION # 1298COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILMAN LULL.

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

		FROM	TO
406.010010.411000.41046	REAL PROPERTY TAXES	\$75	
406.086660.549001.41046	ADMINISTRATION FEE		\$75

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

Adopted

DECEMBER 2, 2003

TOWN OF RIVERHEAD

REVOLVING LOAN PROGRAM

BUDGET ADJUSTMENT

RESOLUTION # 1299

COUNCILMAN LULL

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:

		FROM	TO
178.000000.390599	APPROPRIATED FUND BALANCE	\$3,000	
178.086860.540000	CONTRACTUAL EXPENSE		\$3,000

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

DECEMBER 2, 2003

Adopted

TOWN OF RIVERHEAD

RIVERHEAD HUMAN SERVICES CENTER PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 1300

COUNCILWOMAN SANDERS 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:

		FROM	TO
406.071400.547900.40091	CONTINGENCY	\$ 50	
406.071400.543650.40091	ARCHITECTURAL SERVICES	30	
406.071400.522150.40091	CONSTRUCTION	900	
406.071400.524000.40091	EQUIPMENT		\$980

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

DECEMBER 2, 2003

Adopted

TOWN OF RIVERHEAD

CDBG

BUDGET ADJUSTMENT

RESOLUTION # 1301

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

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

		FROM	TO
181.086620.524907.06994	PLAYGROUND EQUIPMENT	\$50,420	
181.086660.541162.06994	CORWIN BENJAMIN-HISTORICAL EXP.		\$50,420

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

December 2, 2003

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1302

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER FOR STOTZKY PARK BASKETBALL COURT

COUNCILWOMAN SANDERS offered the following resolution which was

seconded by COUNCILMAN LULL.

WHEREAS, the Riverhead Town Board adopted Resolution No. 360 entitled, "Awards Bid for Stotzky Park Basketball Court Project"; and

WHEREAS, the bid was awarded to Artco Drainage Corporation in the amount of Fifty Six Thousand Sixty Six Dollars and Fifty Six Cents; and

WHEREAS, the Town Engineer has recommended that additional work is required to modify the retaining wall to eliminate severe slope and existing drainage ring modifications in the amount of Five Thousand & 00/100 (\$5,000.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute a change order in the amount of \$5,000.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy this resolution to Artco Drainage Corporation, 7470 Route 48, P.O. Box 1132, Mattituck, NY 11952, Kenneth Testa, P.E. and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON BEING ADOPTED

December 2, 2003

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1303

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER FOR MUNICIPAL GARAGE MAINTENANCE FACILITY ELECTRICAL – HAWKEYE CONSTRUCTION LLC

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

WHEREAS, on December 4, 2001 the Riverhead Town Board adopted Resolution No. 1192 entitled, "Awards Bid for Mechanics Maintenance Facility"; and

WHEREAS, the electrical bid was awarded to Hawkeye Construction, LLC in the amount of One Hundred Ninety Four Thousand One Hundred Ninety & 00/100; and

WHEREAS, H2M Group, consulting engineer, has recommended that additional electrical modifications are necessary for truck bay lighting in the amount of Three Thousand One Hundred Twenty Three & 78/100.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute a change order in the amount of \$3,123.78; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Hawkeye Construction, LLC, 2 Access Road, Patchogue, NY 11772, Kenneth Testa, P.E. and the Office of Accounting.

	THE VOTE			
Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

December 2, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 1304

AUTHORIZES THE SUPERVISOR TO EXECUTE A PUBLIC SAFETY ANSWERING POINTS AGENCY AGREEMENT UNDER THE ENHANCED 911 PROGRAM FOR A GRANT FROM THE COUNTY OF SUFFOLK

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, the County of Suffolk operates a grant program known as Public Safety Answering Points ("PSAP") under the Enhanced 911 Program to ensure the safety of Suffolk County residents; and

WHEREAS, the Enhanced 911 Program is carried out within the Town of Riverhead through the Riverhead Police Department to provide the greatest level of 911 protection to the residents of Riverhead; and

WHEREAS, the Town of Riverhead through the Riverhead Police Department was a PSAP Agency for the calendar year 2002 and desires to continue to be a PSAP Agency for the calendar years 2003 through 2005; and

WHEREAS, the Town of Riverhead agrees to provide all documentation as required by PSAP Agency Agreement.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an PSAP Agency Agreement with the County of Suffolk for a term commencing January 1, 2003 and ending December 31, 2005; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Police Department of the Town of Riverhead; Eric A. Kopp, Chief Deputy County Executive; the Office of the Supervisor and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON IT WAS ADOPTED

December 2, 2003

TOWN OF RIVERHEAD

Adopted

Resolution # 1305

AUTHORIZES ATTENDANCE OF A POLICE OFFICER TO TRAINING – ETHICAL AWARENESS INSTRUCTOR LEVEL COURSE

COUNCILMAN LULL 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 Ethical Awareness Instructor Level Course; and,

WHEREAS, the training class will be held at the Kingston Police Academy, Kingston, New York, from December 16 through December 19, 2003.

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

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes reimbursement of expenses, not to exceed \$550.00, 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 TOWN CLERK

Sanders Yes No Class Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON PUBLICLY ADOPTED

TOWN OF RIVERHEAD
Resolution # 1306

Adopted

APPROVES THE ATTENDANCE AT
EMPIRE STATE DEVELOPMENT ZONE CONFERENCE

COUNCILMAN DENSIESKI Offered the following resolution,

Which was seconded by COUNCILWOMAN SANDERS

WHEREAS, the State of New York of Economic Development Council and New York State Association of Counties will be hosting its 2003 Economic Development Academy for economic development professionals; and

WHEREAS, it is necessary and appropriate for the Empire Zone Coordinator, Tracy Stark, to attend conferences for informational training sessions; and

WHEREAS, a three day conference is scheduled in Saratoga Springs on December 3rd -5th, thereby requiring her to stay at the Hotel Saratoga Springs Thursday, December 4th at \$120.00 per night, plus the cost of meals, transportation and registration to be reimbursed upon submission of receipts not to exceed \$400.00.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves expenditures for lodging at the Hotel Saratoga Springs and reimbursement of meals, registration and transportation for Riverhead/Suffolk County Empire Zone Coordinator Tracy Stark to attend the NYSEDC Economic Development Academy on December 4 -5th.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Tracy Stark, Lori Taggart (County Executive's Office), Randy Coburn (New York State Empire Zone Office), the Riverhead Community Development Agency and the Riverhead Office of Accounting.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

DECEMBER 2, 2003

²⁵⁷⁵
Adopted

TOWN OF RIVERHEAD

AUTHORIZES THE RETENTION OF THE LAW FIRM OF L'ABBATE, BALKAN, COLAVITA & CONTINI LLP IN CONNECTION WITH SUPREME COURT LITIGATION ENTITLED LORRAINE MELK VYAS AKA TONYA REINS V. TOWN JUSTICE, ALLEN M. SMITH

RESOLUTION # 1307

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorized the Law Firm of L'Abbate, Balkan, Colavita and Contini, LLP to act as legal counsel in connection with Supreme Court litigation entitled, Lorraine Melk Vyas aka Tonya Reins vs. Town Justice, Allen M. Smith, Suffolk County Index No. 03-24667; and be it further

RESOLVED, that the Riverhead Town Board hereby approves the Retainer Agreement from the Law Firm of L'Abbate, Balkan, Colavita and Contini, LLP; and be it further

RESOLVED, that the Riverhead Town Board hereby authorized the Supervisor to execute the attached Retainer Agreement.

BE IT FURTHER RESOLVED that the Town Clerk be, and is hereby, directed to forward a certified copy of this resolution to the Law Firm of L'Abbate, Balkan, Colavita and Contini, LLP., 1050 Franklin Avenue, Garden City, NY 11530, the Office of the Supervisor, the Town Attorney's Office and the Office of Accounting.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

DECEMBER 2, 2003

2576
Adopted

TOWN OF RIVERHEAD

201 HOWELL AVENUE TOWN HALL ANNEX

BUDGET ADOPTION

RESOLUTION # 1308

COUNCILMAN LULL

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:

		FROM	TO
406.095731.494200.40114	SERIAL BOND PROCEEDS	\$250,000	
406.036200.523011.40114	CONSTRUCTION		\$225,000
406.036200.524300.40114	OFFICE EQUIPMENT		15,000
406.036200.547900.40114	CONTINGENCY		10,000

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

December 2, 2003

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1309

REJECTS BID FOR PREFABRICATED RESTROOM BUILDING AND
AUTHORIZES TOWN CLERK TO RE-POST AND RE- PUBLISH THE
ATTACHED NOTICE TO BIDDERS

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

WHEREAS, the Town Clerk was authorized to post and publish a Notice to Bidders for
the purchase of a prefabricated bathroom building; and

WHEREAS, one (1) bid was received, opened and read aloud on the 24th day of
November, 2003 in the Office of the Town Clerk at 11:00 am; and

WHEREAS, the bid received exceeds the amount budgeted. It is the recommendation of
the Town Engineer to re-post and re-publish the attached Notice to Bidders.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board be and does hereby
reject any and all bids received for this project; and

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

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to post
and publish the attached Notice to Bidders in the December 4, 2003 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 Kenneth Testa, P.E. and the Office of
Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON LEGALLY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the purchase of a Prefabricated Concrete Restroom Building will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead, New York, until 11:00 am on December 15, 2003 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about December 4, 2003 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Prefabricated Concrete Restroom Building".

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

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

Dated: December 2, 2003

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 1310

Adopted

COUNCILMAN LULL

offered the following resolution, which was

seconded by

COUNCILWOMAN BLASS

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

		<u>FROM</u>	<u>TO</u>
001.013550.542609	ASSESSORS, ADVERTISING EXP.	\$ 1,000	
001.013550.524000	ASSESSORS, EQUIPMENT		\$ 1,000
001.000000.390599	APPROPRIATED FUND BALANCE	45,000	
001.014400.543500	TOWN ENGINEER, CONSULTANTS		45,000
001.000000.390599	APPROPRIATED FUND BALANCE	22,500	
001.016200.545210	SHARED SERVICES, COPIER EXP.		7,500
001.016200.546000	SHARED SERVICES, LIGHTS, HEAT & WATER		15,000
001.000000.390599	APPROPRIATED FUND BALANCE	35,000	
001.031200.512100	POLICE, UNIFORM O/T		30,000
001.031200.512500	POLICE, CIVILIAN O/T		5,000
001.031250.516650	JAB, HOLIDAY PAY	1,500	
001.031250.512100	JAB, O/T		1,500
001.000000.390599	APPROPRIATED FUND BALANCE	950	
001.035100.512100	DOG CONTROL, O/T		750
001.035100.545260	DOG CONTROL, CELL PHONE EXP.		200
001.000000.390599	APPROPRIATED FUND BALANCE	2,000	
001.067720.512500	NUTRITION, O/T		2,000
001.000000.390599	APPROPRIATED FUND BALANCE	12,000	
001.070200.512500	REC. ADMIN, O/T		12,000
001.000000.390599	APPROPRIATED FUND BALANCE	10,000	
001.071400.546000	REC.CENTER, UTILITIES EXP.		10,000

GENERAL FUND

BUDGET ADJUSTMENT, Continued

		<u>FROM</u>	<u>TO</u>
001.000000.390599	APPROPRIATED FUND BALANCE	11,000	
001.071800.518606	BEACHES, LIFEGUARDS		6,000
001.071800.546000	BEACHES, UTILITY EXP.		5,000

THE VOTE

Sanders Yes No Blass Yes No
 Densieski *abstain* No Lull Yes No
 Kozakiewicz Yes No

December 1, 2003

Not

2581

Adopted

TOWN OF RIVERHEAD

Resolution # 1311

APPROVES APPLICATION OF SOUND HOUSING, LLC TO BE EXEMPTED FROM LOCAL LAW 22 of 2003 "MORATORIUM ON RESIDENTIAL DEVELOPMENT"

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

WHEREAS, on December 11, 2001 the Riverhead Town Board adopted a Local Law entitled "Moratorium on Residential Development", and

WHEREAS, on June 11, 2002 that Local Law was repealed and replaced so as to extend the Moratorium through June 11, 2003, and

WHEREAS, both versions of the aforementioned Local Law provide for the exemption of certain applications from the provisions of the Local Law provided those applications meet certain criteria, and

WHEREAS, Sound Housing, LLC did make application to the Riverhead Town Board to be exempted from the provisions of Local Law 22 of 2003 in order, by amended special permit, to allow the construction of 220 multi-family condominium units and associated improvements upon real property located at Sound Avenue, Riverhead, New York; such real property more particularly described as Suffolk County Tax map Number 0600-18-1-12, and

WHEREAS, pursuant to Local Law 20 of 2002, the Riverhead Town Board did hold a public hearing upon the exemption application of Sound Housing, LLC; such public hearing held on October 15, 2002, and

WHEREAS, the application submitted has been reviewed by the Town Attorney's office and is proper as to form, and

WHEREAS, Chapter 108-007(1) of the Town Code of the Town of Riverhead requires that a public hearing be held in connection with any application for exemption under that section, and

WHEREAS, on November 5, 2003, the Town Board adopted Local Law 22 of 2003 which Local Law repealed and replaced Local Law 20 of 2002, and

WHEREAS, the application of Sound Housing, LLC, Map of Willow Ponds, Phase IV was not acted upon prior to the real and replacement of the Local Law under which the application was made, and

WHEREAS, the applicant, by letter dated October 29, 2003, requested that its application for exemption pursuant to Riverhead Town Code Section 108-007(1) be decided under the Local Law 22 of 2003, and

WHEREAS, there were no material changes to that application requested in the letter, and

WHEREAS, the Town Board has carefully considered the merits of the exemption application of Sound Housing, LLC, the SEQRA record created to date, the commentary offered at the relevant public hearing, the applicable provisions of the Riverhead Comprehensive Plan as well as all other pertinent information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the application of Sound Housing, LLC to be exempted from the provisions and restrictions of Local Law No. 22 of 2003, the Riverhead Town Board hereby makes the following findings:

- i. That the subject real property lies within the Recreational Zoning Use District;
- ii. That the Recreational Zoning Use district provides for multi-family condominium development by special permit of the Town Board of the Town of Riverhead;
- iii. That the subject real property is currently improved with condominium units constructed pursuant to the grant of a special permit by the Riverhead Town Board by resolution dated December 16, 1986 allowing the construction of 220 condominium units and associated improvements;
- iv. That the Riverhead Comprehensive Plan recommends the continuation of the land uses associated with the Recreational Zoning Use District upon the subject property;
- v. That the subject real property does not contain any significant natural features which could be adversely affected; including prime agricultural soils, pine barrens, freshwater wetlands or endangered flora or fauna;
- vi. That the proposed development will not adversely impact the premises or the surrounding area due to the maintaining of the existing wooded area buffering Sound Avenue and the creation of significant open space area within the proposed development;
- vii. That the proposed development will not adversely impact upon either the natural or social environment, specifically, land resources, water resources, air resources, flora and fauna, aesthetic resources, historic and

- viii. archeological resources, transportation, public health and community growth and character;
- viii. That the proposed development is in conformance with the provisions and recommendations of regional planning studies including the Long Island Comprehensive Waste Treatment Management Plan (1978), the Special Groundwater Protection Plan (1992) and the Town of Riverhead Comprehensive Plan (2003), and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby exempts the amended special permit of Sound Housing, LLC from the provisions of Local Law 22 of 2003, and

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to the Planning Board, Planning Department, and Sound Housing, LLC or their agent, and

BE IT FURTHER

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

Rh/planning

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

THE VOTE: SANDERS, YES, BLASS, YES, DENSIESKI, NO, LULL, NO KOZAKIEWICZ, NO.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON LULY ADOPTED

THE RESOLUTION WAS THEREUPON DECLARED NOT TO BE TABLED.

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION FOR ADOPTION, SECONDED BY COUNCILWOMAN SANDERS.

THE VOTE: SDANDERS, NO, BLASS, NO, DENSIESKI, YES, LULL, NO, KOZAKIEWICZ, NO

THE RESOLUTION WAS THEREUPON DECLARED NOT TO BE ADOPTED.

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of December, 2003 at 2:40 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of Sound Housing, LLC to allow the construction of 220 condominium units and associated improvements upon real property located at Sound Avenue, Riverhead; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-18-1-12.

DATED: December 16, 2003
Riverhead, New York

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

December 2nd, 2003

2585
Tabled

TOWN OF RIVERHEAD

Resolution # 1312

APPROVES SITE PLAN OF CROWN RECYCLING (PETER ROSSANO)

Councilman Lull offered the following resolution,

which was seconded by Councilman Densieski :

WHEREAS, a site plan and building elevations were submitted by Peter Rossano on behalf of Crown Sanitation to allow the construction of 4,500 square foot metal frame addition upon real property lying within the Industrial B Zoning Use District and to provide for an employee parking facility upon real property lying within the Agriculture A Zoning Use District, such real property more particularly described as Suffolk County Tax Map Parcel No. 0600-80-2-14, and 0600 080-2-4.1, respectively; and

WHEREAS, the Planning Department has reviewed a site plan dated November 10th, 2003, as prepared by Jeffrey T. Butler, P.E. and Joseph Ingegno, L.S. and elevations dated September 24th, 2003, as prepared by Jeffrey T. Butler, P.E. and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 2003-0930 of the Office of the Supervisor of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER

RESOLVED, that the site plan and building elevations as submitted by Peter Rossano on behalf of Crown Sanitation as prepared by Jeffrey T. Butler, P.E. and Joseph Ingegno, Ls. Dated November 10, 2003 and building elevations prepared by Jeffrey Butler, P.E. and dated September 24, 2003 are hereby approved by the Town Board subject to the following :

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

enter premises at the Youngs Avenue, Baiting Hollow, New York, to enforce said handicapped parking regulations;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter Rossano, PO Box 215, Calverton, New York 11933, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT ADOPTED

Tabled

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2003, made by Crown Recycling, PO Box 215, 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 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, Crown Recycling, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at the Old Country Road, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen

14. Upon the development of the contiguous real property to the west that the applicant be required to make these improvements necessary to either allow the passing and re-passing of motor vehicle traffic.

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

Crown Recycling

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

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

NOTARY

PUBLIC

Councilman Lull
Councilman Densieski offered the following Resolution which was seconded by

Adopted

FUND NAME		CD-11/14/03	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 3,570,000.00	\$ 1,191,166.67	\$ 4,761,166.67
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 6,600.72	\$ 6,600.72
TEEN CENTER	005	\$ 14,000.00	\$ -	\$ 14,000.00
RECREATION PROGRAM	006	\$ 65,000.00	\$ 1,464.17	\$ 66,464.17
SR NUTRITION SITE COUNCIL	007	\$ 1,000.00	\$ 2,000.00	\$ 3,000.00
D.A.R.E. PROGRAM FUND	008	\$ 3,000.00	\$ -	\$ 3,000.00
CHILD CARE CENTER BUILDING FUND	009	\$ 5,000.00	\$ 73.87	\$ 5,073.87
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
R.I.F.T.A	023	\$ 12,000.00	\$ 149.31	\$ 12,149.31
TOWN BD SPECIAL PROGRAM FND	024	\$ 60,000.00	\$ -	\$ 60,000.00
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
WORLD TRADE CENTER MEMORIAL PD	026	\$ -	\$ 288.00	\$ 288.00
SRS DAYCARE BUILDING FUND	027	\$ 3,500.00	\$ -	\$ 3,500.00
COMMUNITY P.E.T.S. SHELTER	028	\$ 10,000.00	\$ 100.00	\$ 10,100.00
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ 25,000.00	\$ 712.31	\$ 25,712.31
HIGHWAY	111	\$ 450,000.00	\$ 39,459.04	\$ 489,459.04
WATER	112	\$ 1,650,000.00	\$ 112,667.92	\$ 1,762,667.92
REPAIR & MAINTENANCE	113	\$ 300,000.00	\$ -	\$ 300,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 1,500,000.00	\$ 121,624.13	\$ 1,621,624.13
REFUSE & GARBAGE COLLECTION	115	\$ 475,000.00	\$ 2,843.79	\$ 477,843.79
STREET LIGHTING	116	\$ 410,000.00	\$ 30,430.16	\$ 440,430.16
PUBLIC PARKING	117	\$ 70,000.00	\$ 11,792.10	\$ 81,792.10
BUSINESS IMPROVEMENT DISTRICT	118	\$ 7,500.00	\$ -	\$ 7,500.00
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 250,000.00	\$ 161.38	\$ 250,161.38
CALVERTON SEWER DISTRICT	124	\$ 65,000.00	\$ 132.00	\$ 65,132.00
RIVERHEAD SCAV WASTE DISTRICT	128	\$ 620,000.00	\$ 28,670.25	\$ 648,670.25
WORKER'S COMPENSATION FUND	173	\$ 1,000,000.00	\$ 22,517.83	\$ 1,022,517.83
RISK RETENTION FUND	175	\$ 650,000.00	\$ 16,472.06	\$ 666,472.06
UNEMPLOYMENT INSURANCE FUND	176	\$ 87,500.00	\$ -	\$ 87,500.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 96,923.38	\$ 96,923.38
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 1,500.00	\$ -	\$ 1,500.00
SEWER DISTRICT DEBT	382	\$ 17,500.00	\$ 3,964.26	\$ 21,464.26
WATER DEBT	383	\$ 625,000.00	\$ 115,198.94	\$ 740,198.94
GENERAL FUND DEBT SERVICE	384	\$ 7,285,000.00	\$ 3,046,199.86	\$ 10,331,199.86
SCAVENGER WASTE DEBT	385	\$ 12,000.00	\$ 1,183.15	\$ 13,183.15
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 1,995,491.20	\$ 1,995,491.20
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 893.77	\$ 893.77
SENIORS HELPING SENIORS	453	\$ -	\$ 103.50	\$ 103.50
EISEP	454	\$ -	\$ 113.40	\$ 113.40
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 310,000.00	\$ 4,971.41	\$ 314,971.41
MUNICIPAL GARAGE	626	\$ 50,000.00	\$ 6,845.57	\$ 56,845.57
TRUST & AGENCY	735	\$ -	\$ 22,440.80	\$ 22,440.80
SPECIAL TRUST	736	\$ 725,000.00	\$ -	\$ 725,000.00
COMMUNITY PRESERVATION FUND	737	\$ 130,000.00	\$ -	\$ 130,000.00
CDA-CALVERTON	914	\$ 185,000.00	\$ 423.86	\$ 185,423.86
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 20,644,500.00	\$ 6,884,078.81	\$ 27,528,578.81

THE VOTE

Sanders Yes No

Densieski Yes No

Kozlowski Yes No

Lull Yes No

THE RESOLUTION WAS NOT ADOPTED

THE RESOLUTION WAS ADOPTED

Councilman Lull
Councilman Densieski

offered the following Resolution which was seconded by

Adopted

FUND NAME		CD - NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 596,002.97	\$ 596,002.97
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ 875.20	\$ 875.20
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
R.I.F.T.A	023	\$ -	\$ 38.77	\$ 38.77
TOWN BD SPECIAL PROGRAM FND	024	\$ -	\$ 149,945.40	\$ 149,945.40
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
WORLD TRADE CENTER MEMORIAL FD	026	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 2,019.54	\$ 2,019.54
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ 2,745.19	\$ 2,745.19
HIGHWAY	111	\$ -	\$ 62,027.95	\$ 62,027.95
WATER	112	\$ -	\$ 39,697.12	\$ 39,697.12
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 22,365.74	\$ 22,365.74
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 189,398.78	\$ 189,398.78
STREET LIGHTING	116	\$ -	\$ 6,977.03	\$ 6,977.03
PUBLIC PARKING	117	\$ -	\$ 3,071.84	\$ 3,071.84
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ -	\$ -
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 1,131.92	\$ 1,131.92
CALVERTON SEWER DISTRICT	124	\$ -	\$ 3,031.41	\$ 3,031.41
RIVERHEAD SCAV WASTE DISTRICT	128	\$ -	\$ 11,351.52	\$ 11,351.52
WORKER'S COMPENSATION FUND	173	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 696.07	\$ 696.07
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 247,823.64	\$ 247,823.64
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 2,112.56	\$ 2,112.56
SENIORS HELPING SENIORS	453	\$ -	\$ 2,675.64	\$ 2,675.64
EISEP	454	\$ -	\$ 284.03	\$ 284.03
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 618.75	\$ 618.75
MUNICIPAL GARAGE	626	\$ -	\$ 13,058.38	\$ 13,058.38
TRUST & AGENCY	735	\$ -	\$ 668,547.72	\$ 668,547.72
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 2,417.62	\$ 2,417.62
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 2,028,914.79	\$ 2,028,914.79

THE VOTE

Sanders Yes No Blank Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No
 THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

Councilman Lull
Councilman Kozakiewicz

offered the following Resolution which was seconded by

Adopted

FUND NAME		CD-NONE	MANUAL TRANSFER	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ -	\$ -
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
R.I.F.T.A.	023	\$ -	\$ -	\$ -
TOWN BOARD SPECIAL PROGRAM	024	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
WORLD TRADE CENTER MEMORIAL FUND	026	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ -	\$ -
WATER	112	\$ -	\$ -	\$ -
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ -	\$ -
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ -	\$ -
STREET LIGHTING	116	\$ -	\$ -	\$ -
PUBLIC PARKING	117	\$ -	\$ -	\$ -
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ -	\$ -
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 70,000.00	\$ 70,000.00
CALVERTON SEWER DISTRICT	124	\$ -	\$ -	\$ -
RIVERHEAD SCAV WASTE DISTRICT	128	\$ -	\$ 3,516.41	\$ 3,516.41
SEWER DISTRICT FUND	130	\$ -	\$ 268,000.00	\$ 268,000.00
WORKER'S COMPENSATION FUND	173	\$ -	\$ 40,000.00	\$ 40,000.00
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ -	\$ -
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ 8,964.35	\$ 8,964.35
GENERAL FUND DEBT SERVICE	384	\$ -	\$ 664,886.88	\$ 664,886.88
SCAVENGER WASTE DEBT	385	\$ -	\$ 1,183.15	\$ 1,183.15
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ -	\$ -
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ -	\$ -
MUNICIPAL GARAGE	626	\$ -	\$ -	\$ -
TRUST & AGENCY	*735*	\$ -	\$ -	\$ -
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ 600,000.00	\$ 600,000.00
CDA-CALVERTON	914	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 2,353.65	\$ 2,353.65
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 1,658,904.44	\$ 1,658,904.44

THE VOTE
 Sanders Yes ___ No ___
 Danieski Yes ___ No ___
 Kozakiewicz Yes ___ No ___
 Lull Yes ___ No ___

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED