

# Adopted

RESOLUTION # 276 \_\_\_\_\_

## RELOCATES REGULAR TOWN BOARD MEETING OF MAY 19, 1998

### COUNCILMAN CARDINALE

COUNCILMAN \_\_\_\_\_ offered the following resolution, which was seconded by COUNCILMAN \_\_\_\_\_ COUNCILMAN KWASNA \_\_\_\_\_.

RESOLVED, that the location of the regular meeting of the Town Board of the Town of Riverhead scheduled for May 19, 1998, has been changed to the George M. Young Community Center, South Jamesport Avenue, Jamesport, New York; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to publish and post the following notice:

### TOWN OF RIVERHEAD PUBLIC NOTICE

PLEASE TAKE NOTICE, that the location of the regular meeting of the Town Board of the Town of Riverhead scheduled for May 19, 1998, has been changed to the George M. Young Community Center, South Jamesport Avenue, Jamesport, New York at 7:00 P.M.

Dated: Riverhead, New York  
April 16, 1998

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN  
TOWN CLERK

### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

APRIL 21, 1998

# Adopted

## TOWN OF RIVERHEAD

### RESOLUTION #277

### AUTHORIZATION TO PUBLISH BID

**COUNCILMAN KWASNA**

\_\_\_\_\_ OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILMAN KENT

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE OF TONER & SUPPLIES FOR USE BY THE TOWN OF RIVERHEAD.

BE IT RESOLVED, THAT THE TOWN CLERK BE, AND HEREBY IS, AUTHORIZED TO FORWARD A COPY OF THIS RESOLUTION TO ALL DEPARTMENTS.

### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **TONER & SUPPLIES** for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on May 8, 1998.**

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

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" AND BE ATTACHED TO THE BID FORM.

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

All bids are to be submitted in a sealed envelope bearing the designation **BID FOR TONER & SUPPLIES.**

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

APRIL 21, 1998

# Adopted

## TOWN OF RIVERHEAD

### RESOLUTION # 278

#### AUTHORIZATION TO PUBLISH BID

**COUNCILMAN KENT**

OFFERED THE FOLLOWING RESOLUTION WHICH  
WAS SECONDED BY **COUNCILMAN LULL**.

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE OF POLICE UNIFORMS FOR USE BY THE TOWN OF RIVERHEAD.

BE IT RESOLVED, THAT THE TOWN CLERK BE, AND HEREBY IS, AUTHORIZED TO FORWARD A COPY OF THIS RESOLUTION TO THE POLICE DEPARTMENT.

#### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  **WAS NOT**   
THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD****NOTICE TO BIDDERS**

Sealed bids for the purchase of POLICE UNIFORMS for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:05 a.m. on MAY 8, 1998.

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

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" AND BE ATTACHED TO THE BID FORM.

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

All bids are to be submitted in a sealed envelope bearing the designation BID FOR POLICE UNIFORMS.

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

# Tabled

REJECTED ON MAY 5th, 1998

TB - 4/21/98

## TOWN OF RIVERHEAD

RESOLUTION # 279  
ADOPTED APRIL 21, 1998

### AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS ON ONE (1) 1999 FREIGHTLINER CAB & CHASSIS EQUIPPED AS SPECIFIED OR EQUAL

COUNCILMAN LULL

OFFERED THE FOLLOWING

RESOLUTION WHICH WAS SECONDED BY COUNCILMAN CARDINALE

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of ONE 1999 FREIGHTLINER CAB AND CHASSIS EQUIPPED AS SPECIFIED OR EQUAL for the use of the Town of Riverhead Highway Department, AND BE IT,

RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highways, and all bids to be returnable up to 11:00 A.M. on MAY 13, 1998, AND BE IT FURTHER,

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to open publicly and read aloud on MAY 13, 1998 at 11:00 A.M. at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "BID ON ONE 1999 FREIGHTLINER CAB & CHASSIS EQUIPPED AS SPECIFIED OR EQUAL".

On April 21, 1998, Regular Town Board Meeting, Councilman Lull offered to Table this Resolution, which was seconded by Councilman Kent.

#### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS WAS NOT  
THEREUPON DULY DECLARED ADOPTED

On May 5, 1998 Regular Town Board Meeting, Councilman Lull Offered this Resolution to be brought off the Table, which was seconded by Councilman Kwasna. The vote, Cardinale, Yes, Kent, Yes, Kwasna, Yes, Lull, Yes, and Villella, Yes. The Resolution was thereupon declared to be brought off the Table. Councilman Lull offered the resolution, which was seconded by Councilman Kwasna. The Vote: Cardinale, No, Kent, Abstain, Kwasna, No, Lull, No, Villella, No. This Resolution was thereupon declared REJECTED.

# Tabled

# Tabled

Tu 4/21/98

ON MAY 5th, At a Regular Town BOARD MEETING, THIS RESOLUTION WAS DECLARED TO BE DULY ADOPTED.

## TOWN OF RIVERHEAD

# Adopted

RESOLUTION # 280

~~ADOPTED APRIL 21, 1998~~

### REJECTS BIDS FOR ONE (1) 1999 FREIGHTLINER CAB & CHASSIS EQUIPPED AS SPECIFIED OR EQUAL

COUNCILMAN CARDINALE

OFFERED THE FOLLOWING RESOLUTION

COUNCILMAN KWASNA

WHICH WAS SECONDED BY \_\_\_\_\_.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for One (1) 1999 Freightliner Cab & Chassis Equipped as Specified or Equal; and

WHEREAS, bids were received, opened and read aloud on the 9<sup>th</sup> of April at 11:00 A.M., and

WHEREAS, four (4) bids were received, and

WHEREAS, the transmission specifications for bidding on the 1999 Freightliner have been changed,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby rejects all bids received; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to all bid participants and the Highway Department.

AT REGULAR TOWN BOARD MEETING OF APRIL 21, 1998, COUNCILMAN CARDINALE OFFERED THIS RESOLUTION TO BE TABLED.

AT REGULAR TOWN BOARD MEETING OF MAY 5th, 1998, THE VOTE

COUNCILMAN CARDINALE OFFERED THIS RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH

WAS SECONDED BY COUNCILMAN KWASNA.

The Vote: Cardinale, Yes, Kent, Yes, Kwasna Yes, Lull, Yes, Villella, Yes. The resolution was thereupon declared to be brought off the table.

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ~~WAS NOT~~ THEREUPON DULY DECLARED ADOPTED

Councilman Cardinale offered the resolution, which was seconded by Councilman Kwasna. The Vote; Cardinale, Yes, Kent, Yes, Kent, Yes, Kwasna, Yes, Lull, Yes, Villella, Yes. The Resolution was thereupon declared adopted.

# Tabled

# Adopted

April 21, 1998

## TOWN OF RIVERHEAD

### RESOLUTION # 281

#### AWARDS BIDS FOR SNACK VENDORS AT VARIOUS LOCATIONS COUNCILMAN KWASNA

\_\_\_\_\_ offered the following resolution, which was  
seconded by COUNCILMAN KENT

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for snack vendors for locations at Stotzky Park, Reeves Park Beach, Iron Pier Beach and Wading River Beach; and

**WHEREAS**, four (4) bids were received, opened and read aloud on the 20<sup>th</sup> day of April, 1998, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

**NOW THEREFORE, BE IT RESOLVED**, that the bids for snack vendors at the following locations be and are hereby awarded as follows:

Karl Freudenberg	Wading River Beach	\$1163.00
Hines Catering	Stotzky Park	\$1000.00

and be it further

**RESOLVED**, that the Town Board hereby directs the Town Clerk to return all rejected 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 the resolution to Karl Freudenberg, 133 Herod point Road, Wading River, New York, 11792; Hines Catering, 836 Osborne Avenue, Riverhead, New York, 11901; the Engineering Department, Recreation Department and Accounting Department.

#### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
 Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
 Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

TOWN OF RIVERHEAD

Resolution # 282  
\_\_\_\_\_

**APPROVES SITE PLAN OF CHERRY CREEK GOLF LINKS - SNACK SHACK**

**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution,  
which was seconded by **COUNCILMAN LULL** \_\_\_\_\_:

**WHEREAS**, a site plan and elevations were submitted by Martin F. Sendlewski, AIA, as agent for Cherry Creek Golf Links, LLC, for the construction of a halfway house, consisting of a snack bar and restrooms, located at 900 Reeves Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-18-2-1.3; and

**WHEREAS**, the Planning Department has reviewed the site plan dated March 26, 1998, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated March 11, 1998, as prepared by Martin F. Sendlewski, AIA, 209 East Avenue, Riverhead NY 11901, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be 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 98-10501 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 Martin F. Sendlewski, AIA, as agent for Cherry Creek Golf Links, LLC, for the construction of a halfway house, consisting of a snack bar and restrooms, located at 900 Reeves Avenue, Riverhead, New York, site plan dated March 26, 1998, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated March 11, 1998, as prepared by

Martin F. Sendlewski, AIA, 209 East Avenue, Riverhead NY 11901, 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 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Cherry Creek, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at 900 Reeves Avenue, Riverhead, New York, to enforce said handicapped parking regulations;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters,

planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Martin F. Sendlewski, AIA, Young & Young, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_\_ day of \_\_\_\_\_, 1997, made by Cherry Creek, Inc., residing at 900 Reeves Avenue, Riverhead NY 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 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Cherry Creek, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at 900 Reeves Avenue, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all utilities shall be constructed underground;
11. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall pose a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

**CHERRY CREEK, INC.**

By: \_\_\_\_\_

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On the \_\_\_\_\_ day of \_\_\_\_\_, 1998, before me personally came \_\_\_\_\_ who, being sworn by me, did depose and say: that (s)he is the \_\_\_\_\_ of \_\_\_\_\_; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the Corporation.

\_\_\_\_\_  
NOTARY

\_\_\_\_\_  
PUBLIC

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_

Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_

Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY DECLARED ADOPTED

# Adopted

4/21/98

TOWN OF RIVERHEAD

Resolution # 283

**APPROVES COLLINS CONSTRUCTION CO. AS DRAINLAYER FOR RIVERHEAD SEWER DISTRICT**

COUNCILMAN KENT

\_\_\_\_\_ offered the following resolution, was seconded by

COUNCILMAN LULL

**WHEREAS**, pursuant to Section 88-3 of the Riverhead Town Code, Collins Construction Co. has submitted a request to become an authorized drainlayer with the Town of Riverhead Sewer District; and

**WHEREAS**, a performance bond has been posted and a Certificate of Insurance has been received naming the Town of Riverhead as an additional insured.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead be and hereby approves Collins Construction Co. as an authorized drainlayer with the Town of Riverhead Sewer District; and further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Collins Construction Co., 615 Furrows Road, Holtsville, New York, 11742; Michael Reichel, Sewer District and the Accounting Department.

### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

## TOWN OF RIVERHEAD

# 284

Resolution .. \_\_\_\_\_

### AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING AMENDMENT TO ZONING ORDINANCE

**COUNCILMAN LULL**

\_\_\_\_\_ offered the following resolution which

**COUNCILMAN CARDINALE**

was seconded by \_\_\_\_\_

**WHEREAS**, by resolution #577 of 1997, the Riverhead Town Board adopted an amendment to the Town of Riverhead Zoning Ordinance to provide for restaurant use as a special permit use within the Industrial A Zoning Use district, and

**WHEREAS**, prior to such amendment, a restaurant use was considered a permitted use within the Industrial A Zoning Use district, and

**WHEREAS**, it has been recently discovered that due to scrivener error and subsequent publication of such amendment in the Zoning Ordinance it is unclear as to whether the restaurant use is to be considered as a special permit by the Town Board or as a special exception by the zoning Board of Appeals, and

**WHEREAS**, the legislative intent was to provide for restaurant use within the Industrial A Zoning Use District as a special permit of the Town Board, and

**WHEREAS**, the Town Board desires to correct the aforementioned scrivener error, now

**THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby authorizes the Town Clerk to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_

Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_

Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 5<sup>th</sup> day of May, 1998 at 7:10 o'clock p.m. at 200 Howell Avenue, Riverhead, New York to hear all interested parties in the consideration of the following amendment to the Zoning Ordinance of the Town of Riverhead, Chapter 108, Section 108-45 B

(3) Restaurant, by special permit of the Town Board.

DATED: April 21, 1997  
Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

# Adopted

4/21/98

TOWN OF RIVERHEAD

# 285

Resolution \_\_\_\_\_

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO CHAPTER 58 ENTITLED, "DOGS" OF THE RIVERHEAD TOWN CODE**

**COUNCILMAN CARDINALE**

\_\_\_\_\_ offered the following resolution, was seconded by

**COUNCILMAN KWASNA**

**RESOLVED**, the Town Clerk be and is hereby authorized to publish the attached public notice to consider an amendment to Chapter 58 entitled, "Dogs" of the Riverhead Town Code once in the April 30, 1998 issue of the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Dog Control Officer; Councilman James Lull and the Police Department.

### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> 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 before the Town Board of the Town of Riverhead, in the George M. Young Community Center, S. Jamesport Avenue, Jamesport, New York on the 19th day of May, 1998 at 7:15 o'clock p.m. to consider an amendment to Chapter 58 entitled, "Dogs" of the Riverhead Town Code as follows:

**§ 58-4. Redemption of impounded dogs.**

A. Unidentified dogs. Each dog which is not identified, whether or not licensed, shall be held for a minimum period of ten (10) days from the day seized. During the first five ~~(5)~~ seven (7) days the dog may be redeemed by its owner, provided that such owner produces proof that the dog has been licensed and has been identified pursuant to the provisions of Article 7 of the New York State Agriculture and Markets Law, as well as the following impoundment fees:

1. twenty dollars (\$20.) for the first impoundment of any dog owned by that person;
2. thirty dollars (\$30.) for the first twenty-four (24) hours or part thereof and three dollars (\$3.) for each additional twenty-four (24) hours or part thereof for the second impoundment, within one year of the first impoundment, of any dog owned by that person;
3. fifty dollars (\$50.) for the first twenty-four (24) hours or part thereof and five dollars (\$5.) for each additional twenty-four (24) hours or part thereof for the third and subsequent impoundments, within one year of the first impoundment, of any dog owned by that person.

After a period of five ~~(5)~~ seven (7) days, such unidentified dog shall be available for adoption.

**§ 58-8. Penalties for offenses.**

Any person owning or harboring a dog in violation of any of the provisions of this Article shall be guilty of a violation, punishable by imprisonment for a term not in excess of fifteen (15) days and/or by a fine of not less than ~~ten dollars (\$10.)~~ twenty-five dollars (\$25.) for the first offense and/or not less than ~~twenty-five (\$25.)~~ fifty dollars (\$50.) for the second offense or and/or ~~not less than one hundred dollars (\$100.)~~ not less than one hundred dollars (\$100.) for any subsequent offense. ~~nor more than one hundred dollars (\$100.)~~

Adopted

Dated: Riverhead, New York  
April 21, 1998

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

\* Underline represents addition(s)  
\*\* Overstrike represents deletion(s)

RESOLUTION NO. 1998-04

WHEREAS, the Town Board of the Town of Riverhead, New York, has received a request from the Riverhead Chamber of Commerce for a resolution to be passed to the effect that the Town Board should support the Riverhead Chamber of Commerce in its efforts to attract new business to the Town of Riverhead, New York;

AND WHEREAS, the Town Board of the Town of Riverhead, New York, has determined that it is in the best interests of the Town of Riverhead, New York, to pass a resolution to the effect that the Town Board should support the Riverhead Chamber of Commerce in its efforts to attract new business to the Town of Riverhead, New York;

IT IS HEREBY RESOLVED, that the Town Board of the Town of Riverhead, New York, do hereby pass a resolution to the effect that the Town Board should support the Riverhead Chamber of Commerce in its efforts to attract new business to the Town of Riverhead, New York;

IN WITNESS WHEREOF, the Town Board of the Town of Riverhead, New York, has caused this resolution to be signed by its Town Clerk, Barbara Grattan, and its Chairman, [Name], this 21st day of April, 1998.

Barbara Grattan, Town Clerk

[Name], Chairman

THE TOWN BOARD OF THE TOWN OF RIVERHEAD, NEW YORK

# Adopted

4/21/98

## TOWN OF RIVERHEAD

Resolution # 286

### AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER AMENDMENTS TO CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE

COUNCILMAN KWASNA

\_\_\_\_\_ offered the following resolution, was seconded by

COUNCILMAN KENT

**RESOLVED**, the Town Clerk be and is hereby authorized to publish the attached public notice to consider an amendment to Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the April 30, 1998 issue of the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department, the Riverhead Planning Board and the Riverhead Building Department.

### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> 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 before the Town Board of the Town of Riverhead, in the George M. Young Community Center, S. Jamesport Avenue, Jamesport, New York on the 19th day of May, 1998 at 7:20 o'clock p.m. to consider amendments to Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**§ 108-3. Definitions.**

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

**RETAIL STORE OR SHOP** -- A building dedicated to the sale of goods either new goods or goods having added value through age or uniqueness in small quantities to the general public, which goods may be brought to the premises in their finished state or improved at such store or shop prior to sale.

**THRIFT SHOP** -- A building dedicated to the sale of goods either new or goods having no added value through age or uniqueness in small quantities to the general public, which goods may be brought to the premises in their finished state or improved at such store or shop prior to sale.

ARTICLE VII, Business A District (Resort Business)

**§ 108-27. Uses.**

B. Special permit uses.

(9) Thrift Shop.

ARTICLE VIII, Business B District (Shopping Center)

**§ 108-34. Uses.**

B. Special exception and special permit uses. Except where Town Board approval is required herein for a special exception or special permit use, such use shall be subject to approval by the Board of Appeals pursuant to Article XVII, §§ 108-75, 108-76 and 108-77 of this chapter.

(6) Thrift Shop.

ARTICLE IX, Business C District (Neighborhood Business)

§ 108-39. Uses.

B. Special exception and special permit uses. Except where Town Board approval is required herein for a special exception or special permit use, such use shall be subject to approval by the Board of Appeals pursuant to Article XVII, §§ 108-75, 108-76 and 108-77 of this chapter.

(7) Thrift Shop.

ARTICLE X, Business D District (General Business)

§ 108-42. Uses.

B. Special exception and special permit uses. Except where Town Board approval is required herein for a special exception or special permit use, such use shall be subject to approval by the Board of Appeals pursuant to Article XVII, §§ 108-75, 108-76 and 108-77 of this chapter.

(8) Thrift Shop.

ARTICLE XA, Business F District (Manufacturers Outlet Center Overlay Zone)

§ 108-44.10. Prohibited uses.

No building, structure, premises or lot in the Business F District (Manufacturers Outlay Center Overlay) shall be occupied for the following uses:

G. Thrift Shops.

Dated: Riverhead, New York  
April 21, 1998

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

\* Underline represents addition(s)

\*\* Overstrike represents deletion(s)

# Adopted

4/2198

TOWN OF RIVERHEAD

Resolution # 287

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

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN LULL:

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the April 30, 1998 issue of News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kweana  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Vilella  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 5th day of May, 1998 at 7:15 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

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

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

<b>Intersection</b>	<b>Stop Sign On</b>	<b>Entrance From</b>
<u>Karlin Drive</u>	<u>Jakes Lane</u>	<u>West</u>

Dated: Riverhead, New York  
April 21, 1998

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

**BARBARA GRATTAN, Town Clerk**

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

# Adopted

4/21/98

## TOWN OF RIVERHEAD

Resolution # 288

**ADOPTS LOCAL LAW TO AMEND CHAPTER 101 ENTITLED, "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE**

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

**COUNCILMAN CARDINALE**

**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 101 of the Riverhead Town Code entitled, "Vehicles & Traffic", once in the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and

**WHEREAS**, a public hearing was held on the 7th day of April, 1998 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 101 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 **News Review** 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 Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901; the Highway Department and the Riverhead Police Department.

## THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
 Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
 Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY DECLARED 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 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on April 21, 1998 as follows:

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

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

<b>Intersection</b>	<b>Stop Sign on</b>	<b>Entrance From</b>
<u>Stanley K. Tanger Boulevard</u>	<u>Driveway A</u>	<u>East</u>
<u>Stanley K. Tanger Boulevard</u>	<u>Driveway B</u>	<u>South</u>
<u>Stanley K. Tanger Boulevard</u>	<u>Driveway C</u>	<u>South</u>
<u>Stanley K. Tanger Boulevard</u>	<u>Driveway D</u>	<u>South</u>
<u>Stanley K. Tanger Boulevard</u>	<u>Tanger Mall Drive</u>	<u>South</u>
<u>Stanley K. Tanger Boulevard</u>	<u>Driveway E</u>	<u>North</u>
<u>Tanger Mall Drive</u>	<u>Tanger I</u>	<u>West</u>
	<u>Outer Loop Connection</u>	

**§ 101-4. One-way streets.**

The streets or portions thereof listed below are hereby designated as the one-way streets, and traffic shall travel on such only in the direction indicated:

<b>Street</b>	<b>Direction</b>	<b>Limits</b>
<u>Steven B. Tanger Drive</u>	<u>East</u>	<u>From C.R. 58 to Stanley K. Tanger Boulevard</u>

**§ 101-9. Installation and maintenance.**

Pursuant to authority granted by § 1660 of the Vehicle and Traffic Law, traffic control signals shall be installed, maintained and operated at the following intersections and other locations:

**Intersections**

Stanley K. Tanger Boulevard with Steven B. Boulevard with Tanger I Inner Loop EB and Tanger I Inner Loop NB

Adopted

Dated: Riverhead, New York  
April 21, 1998

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

\* Underscore represents addition(s)

# Adopted

April 21, 1998

## TOWN OF RIVERHEAD

Resolution # 289

### AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – AMENDMENT TO CHAPTER 62 - EXCAVATIONS

**COUNCILMAN CARDINALE**

\_\_\_\_\_ offered the following resolution which

was seconded by **COUNCILMAN KWASNA**

**WHEREAS**, the Riverhead Town Board hereby finds that topsoil, sand, and gravel are valuable natural resources and further recognizes that the excessive excavation and removal of these raw materials results in the elimination of stable ground cover and natural vegetation which further results in the degradation of slopes and alteration of natural drainage swales which creates potential impacts to contiguous real property, and

**WHEREAS**, the Town Board desires to discourage the unwarranted excavation of these resources in the development of industrial and commercial sites and ensure environmentally sensitive real property development to the maximum extent practicable, now

### THEREFORE, BE IT

**RESOLVED**, that the Riverhead Town Board hereby authorizes the Town Clerk to publish and post the attached notice of public hearing.

### THE VOTE

Cardinale  Yes  No Kent  Yes  No

Kwasna  Yes  No Lull  Yes  No

Vilella  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 5<sup>th</sup> day of May, 1998 at 7:20 o'clock p.m. at 200 Howell Avenue, Riverhead, New York to hear all interested parties to consider an amendment to chapter 62 of the Town Code which would institute the collection of certain fees for the excavation of minerals on commercial and industrial sites. The text of the zoning amendment will be available at the Office of the Town Clerk beginning April 22, 1998, between the hours of 8:30 a.m. – 4:30 p.m..

DATED: April 21, 1998  
Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

## Chapter 62, EXCAVATIONS

## § 62-1. Declaration of policy.

It is hereby declared to be the policy of the Town of Riverhead to provide for the proper use of land to prevent all manner of excavations which create pits, holes or hollows in the earth, leaving it in a hazardous or dangerous state, or which cause soil erosion, depleting the land of its natural vegetative cover and supply of organic material and rendering such land unproductive and unsuitable for agricultural purposes and undesirable for building homes, resulting in lower land values. The Town further finds that topsoil, sand and gravel are valuable natural resources and that the excessive excavation and removal of these raw materials results in the elimination of stable ground cover and natural vegetation, degrades the integrity of slopes and alters the direction of natural drainage courses resulting in potential impacts to contiguous real property. By this chapter the Town Board seeks to remove the danger to health and life caused by deep excavations remaining in the ground and by the stripping of topsoil, thereby resulting in damage to agricultural crops through dust storms in dry weather, by exposure of the bare earth to wind action, and in wet periods by pools of water, which chapter will promote the safety, health and general welfare of the people of the Town of Riverhead and encourage environmentally sensitive real property development to the greatest extent practicable.

## § 62-2. Exceptions.

The following uses and operations by an owner or lessee of premises or by his agent are hereby excepted from the application of this chapter:

- A. Removing topsoil, loam or sand when such removal is necessary as an accessory use or is made for the purpose of farming or for the purpose of the construction of an improvement on said property.
- B. ~~Excavation or removing topsoil, loam or sand incident to the installation of public improvements or public utilities.~~ Removing topsoil, loam, sand or gravel when such removal is necessary to provide public facilities within a realty subdivision approved by the Planning Board.
- C. Excavation by dredging operations within existing navigable waters.
- D. ~~Construction of sewage disposal systems.~~ Removing topsoil, loam, sand or gravel when such removal is necessary for the construction of a single family residence.
- E. Removal of materials for soil borings.
- E. E. Any topsoil removal operation that would but for its existence prior to the effective date of this chapter be regulated by this chapter, provided that the owner or lessee of the premises or his agent shall file within ninety (90) days of the effective date of this chapter with the Town Clerk of the Town of Riverhead a plan of the area so being utilized and proposed to be utilized, together with a brief statement of the present and contemplated future operations, including reclamation when necessary and further provided that the owner or lessee of the premises or his agent shall pay the fees as set forth in § 62-10 hereof.

## § 62-3. Definitions.

As used in this chapter, the following terms shall have the meanings hereinafter designated:

APR 12 9 26 AM '98  
 TOWN OF RIVERHEAD  
 CLERK

**BANK EXCAVATION** -- Any excavation involving the removal of more than one thousand (1,000) cubic feet of earth, other than a pit excavation, not carried below the grade of the street, road or highway upon which the property fronts.

**EARTH** -- Includes sand, clay, gravel, mud, bog and rock, but not topsoil.

**EXCAVATION** -- ~~The removal of more than seventy-five (75) cubic feet of earth from the ground in a vertical dimension of more than three (3) feet for any purpose other than the improvements of land for permitted uses not otherwise regulated by this chapter or other than the purposes described by § 62-2 hereof.~~ The extraction or removal of minerals from the ground or the breaking of the surface soil in order to facilitate or accomplish the removal or extraction of minerals, or the processing of such materials at the location of the excavation.

**PIT EXCAVATION** -- Any excavation involving the removal of more than one thousand (1,000) cubic feet of earth, leaving a hole or depression below the grade of the surrounding land.

**RECLAMATION** -- A written plan for the reconditioning of excavated areas to include land use objectives, maps or other documents required to describe grading specifications and type of revegetation.

**SAFE ANGLE OF REPOSE** -- The final angle of a slope as determined by combining the natural angle of repose of the material of the slope with a planting of vegetation having a proper root growth to protect such slope.

§ 62-4. Application for permit.

A. Before any excavation is commenced for any purpose other than those excepted in § 62-2 of this chapter and topsoil, earth, sand, gravel, rock or other substance is removed from the ground, the owner, lessee or agent of the premises shall obtain a written permit therefor from the Town Board of the Town of Riverhead. For that purpose, such owner, lessee or agent shall file with the Building Inspector of the Town of Riverhead a verified application in duplicate for such permit, containing a detailed statement of the proposed work, together with a plan prepared by a duly licensed engineer or land surveyor of the State of New York, setting forth in detail or including the following information:

(1) A detailed statement of the proposed work and three-dimensional extent of the proposed excavation and exact condition of the plot or premises before the work proposed to be accomplished under the requested permit is commenced, and proposed condition of the said plot or premises when the work is completed.

(2) An estimate of the total number of cubic yards of materials proposed to be removed from the property during the term of the permit.

(2) (3) The elevations of all abutting properties to the extent necessary to indicate the existing drainage condition where the same affects the subject property.

(3) (4) A duly acknowledged consent in writing of the owner of the premises and mortgagee, if any, including his or their addresses.

(4) (5) Receipted tax bills or a certificate from the Receiver of Taxes of the Town of Riverhead and the County Treasurer of Suffolk County, showing payment of all taxes or assessments to date against the property described in the application.

(5) (6) A certificate from the Commissioner of Public Works of the municipalities whose highways abut the site of operation, to the effect that the proposed excavation shown on the plan will not endanger such highways.

(6) (7) A certificate from the Commissioner of Agriculture and Markets of the State of New York or his duly appointed agent or representative, stating that any topsoil to be taken in the area described in the application is apparently free from golden nematode of potato.

(8) A permit from the New York State Department of Environmental Conservation pursuant to Title 27 of the Environmental Conservation Law, if required.

(7) (9) The purpose of the proposed excavation.

(8) (10) The existing and the theoretical maximum groundwater level at the location.

B. After reviewing the application, the Town Board may require additional information or waive any of the foregoing requirements where deemed necessary.

§ 62-5. Plan for ~~rehabilitation~~: reclamation.

A. Each application must include ~~the following data~~ a reclamation plan, which may be referred by the Town Board to the Planning Board for its study review and recommendations. In its study review, the Planning Board may require of the applicant additional data or information bearing upon and relating to the ~~items hereinafter listed~~ following:

(1) A comprehensive plan for the rehabilitation of the entire area in which the applicant proposes to conduct excavation operations; it is intended that the plan include not only that site on which operations will be conducted during the year of the permit applied for, but all the area susceptible to and available to the applicant for excavation operations in the future, as well as any portion of the area where excavations were performed prior to the date of this enactment. The proposed plan of rehabilitation shall set forth the ultimate contour and grade of the area upon completion of excavation operations, describing the area, including berm and slope areas, to be refilled, if any, topsoiled, seeded, shrubbed or otherwise landscaped, and shall specify the amount and extent thereof to be performed on or before the expiration of the permit applied for. When applicable, such plan of rehabilitation must provide as the minimum that where partial rehabilitation is planned for the area, it shall bear a proportionate relationship to the estimated number of years of excavation operations contemplated.

(2) ~~An estimate prepared by a duly licensed engineer or land surveyor of the State of New York of the total number of cubic yards of material available on the site of operations for removal, together with an estimate from a similarly qualified engineer of the total number of cubic yards of material proposed to be removed from the property during the term of the permit applied for.~~

B. Before a permit will be issued, ~~the~~ a reclamation plan of rehabilitation must be approved by the Town Board of the Town of Riverhead.

§ 62-6. Sandbank and pit excavations.

A. No pit excavations shall be made unless provisions for the prevention of any accumulations of water are made, the plan for the prevention of such accumulation to be approved by the Town Board.

B. When required by the Town Board as necessary for the protection of the public, barriers shall be erected to prevent public access to the top of any pits or steeply graded slopes, such barriers to consist of wire fencing of the type known as "chain link" or "Cyclone" fence, or its equivalent, of such height as shall be specified by the Town Board

as necessary for the protection of the public, considering the particular circumstances of the terrain and the location, and such fencing to be substantially erected and with no opening except necessary gates for ingress and egress.

C. All pit and bank excavations shall be so conducted and maintained as to assure safe angles of repose for all slopes not supported by retaining walls. Angles of repose shall in no event be less than one-half (1/2) horizontal foot for each vertical foot.

D. No pit excavation shall be made within fifty (50) feet of any property line nor within one hundred (100) feet of any street. Within the fifty-foot and one-hundred-foot area, a berm shall be established between the property line and the top of the slope, which berm shall have a minimum slope of one-inch per foot from the top of the slope downward to the property line. Where the existing topography is such that a berm area has not heretofore been established and maintained, the plan required under § 62-4A herein shall indicate the berm area available, the drainage to be provided and the proposed method of protecting all slope areas.

E. Dust-down or a similar dust layer shall be spread on access roads and other traveled areas used in connection with every pit or bank excavation where required to protect the public and surrounding area against windblown sand and dust.

F. No removal of earth from the ground shall be so made as to undermine, weaken or deprive of support other lands in the vicinity or to substantially obstruct, impede or change the course of or the natural movement or flow of the water in, or otherwise adversely affect, any public waterway or public body of water or any waterway or body of water which is used as a part of any drainage system.

G. No removal of earth from the ground shall be made so as to expose to possible pollution, by saltwater intrusion or otherwise, any underground water used as a public water supply.

#### § 62-7. Denial or suspension of permit.

The Town Board may deny any application for a permit hereunder if it shall find that the proposed excavation will violate any of the provisions of § 62-6 of this chapter, and may revoke or suspend any permit issued hereunder if it shall find that the removal of earth thereunder violates any of such provisions.

#### § 62-8. Stripping and removal of topsoil.

No stripping or removal of topsoil shall be made within ten (10) feet of any property line, and upon completion of the work, the premises, if below grade, shall be graded to the level of the abutting highway or the original grade if the same was below the level of the highway. Dust-down or its equal shall be spread to prevent dust from flying, and there shall be left upon the surface of the land from which topsoil is removed not less than six (6) inches of topsoil. No topsoil shall be removed between the first day of November and the first day of March in the following year. All areas from which topsoil is removed shall, during the period between August 20 and November 1, inclusive, be prepared into a loose, level seedbed, limed, fertilized and seeded in the following steps:

- A. Apply ground limestone at the rate of one (1) ton per acre.
- B. Apply 5-10-5 fertilizer at the rate of six hundred (600) pounds per acre.
- C. Disk area to work limestone and fertilizer into the soil to a depth of at least three (3) inches.

- D. Smooth area with a smoothing harrow.  
 D. Sow the following seed mixture at the rate of one hundred (100) pounds per acre:

Seed Mixture	Pounds
Timothy	30
Kentucky bluegrass	25
Redtop	10
Perennial rye grass	30
Alsike clover	4
Wild white clover	1

- F. Brush in seed lightly.  
 G. Roll firm with ground roller.

§ 62-9. Bond or cash deposit.

Before the issuance of a permit, the applicant and the owner of record of the premises shall execute and file with the Town Clerk a bond approved by the Town Board of the Town of Riverhead, in an amount to be fixed by said Board, with a surety company as surety, and conditioned upon the faithful performance of the conditions contained in this chapter and the observance of all other municipal ordinances and to indemnify the Town of Riverhead for any damage to town property. In the event of a default, such bond shall be forfeited to the Town of Riverhead. In lieu of such a bond, a cash deposit or deposit of negotiable securities may be made with the Supervisor of the town.

§ 62-10. Fees.

~~The officer designated by the Town Board to issue such permits shall charge and collect for each such permit an annual fee as follows:~~

~~A. Sandbank and pit excavations. A fee of one hundred dollars (\$100.) per year shall accompany the application, and a like sum shall accompany each application for renewal thereof. [Amended 10-2-1979]~~

~~B. Topsoil removal. A minimum fee of twenty five dollars (\$25.) shall be charged for an area not exceeding ten thousand (10,000) square feet. For areas exceeding ten thousand (10,000) square feet, the minimum fee shall be twenty five dollars (\$25.) plus ten dollars (\$10.) for each additional ten thousand (10,000) square feet or fraction thereof. The Town Board or its designee shall charge and collect the following fees for excavation of topsoil, sand and gravel pursuant to approved site plans, grading plans, and realty subdivisions as required by the Zoning Ordinance.~~

~~A. For commercial and industrial subdivision, site plans, or grading plans a fee shall be imposed in the amount of twenty-five cents (\$0.25) per cubic yard for all material removed from the site in accordance with town requirements for drainage, parking and other town required improvements. Further, a fee shall be imposed in the amount of one dollar (\$1.00) per cubic yard for all material removed from the site for any and all purposes and improvements other than those required for compliance with town requirements.~~

~~B. All fees required pursuant to this Chapter shall be due upon final conditional approval of land subdivisions made by the Planning Board and final approval of site plans or grading plans made by the Planning Board or the Town Board.~~

C. An applicant for subdivision approval or site plan approval shall submit an estimate of the volume of materials to be removed as certified by a professional engineer, to either the Planning Board or Town Board. The determination of the fee to be paid shall be made by the Town Board or the Planning board subsequent to a review of the estimate submitted.

§ 62-11. Expiration of permits.

A. Sandbank and pit excavations. Such permits shall expire by limitation one (1) year or three (3) years from the date of issuance, unless the data submitted in accordance with the requirements of § 62-5, Plan for rehabilitation, demonstrates that the completion of such rehabilitation plan will require a period in excess of one (1) year from the date of issuance of the permit. In that event, the Town Board may issue a permit for a period longer than one (1) year or three (3) years, but in no event to exceed five (5) years. In the event a permit is issued for longer than three (3) years, the applicant is required to submit annually on the third and fourth anniversary date of the original permit the data required by § 62-5 hereof and to pay the annual fee required in § 62-10A. [Amended 10-2-1979]

B. Topsoil removal. Such permits shall expire by limitation sixty (60) days from the date of issuance unless extended by the Town Board.

(1) No permit or permits shall be granted for removal of more than four (4) acres of topsoil from any one (1) tract of land until full compliance with this chapter is had under any existing permit for the same tract, except the preparation of the ground and seeding as provided in § 62-8 hereof.

(2) No permit shall be valid except between March 1 and November 1 of any year.

§ 62-12. Penalties for offenses.

For any and every violation of the provisions of this chapter, the owner, general agent or contractor of a building or premises where such violations have been committed or shall exist, and the lessee or tenant of the premises where such violation has been committed or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of the premises in which part said violation has been committed or shall exist, and the general agent, architect, engineer, surveyor, building contractor or any other person who knowingly permits, takes part or assists in any such violation or who maintains any premises in which any such violation shall exist, shall be guilty of an offense against the chapter, punishable by a fine of not more than fifty dollars (\$50.) per day. Each day's continued violation shall constitute a separate, additional violation of the chapter. Such fines or penalties shall be collected as like fines are now by law collected.

Underline means additions.

~~Strikeouts~~ means deletions.

# Adopted

April 21, 1998

## TOWN OF RIVERHEAD

Resolution # 290

### APPROVES SITE PLAN OF LONG ISLAND NATIONAL GOLF COURSE/PECONIC BAY GOLF, L.L.C.

#### **COUNCILMAN KWASNA**

\_\_\_\_\_ offered the following resolution,  
which was seconded by **COUNCILMAN KENT** \_\_\_\_\_:

**WHEREAS**, a site plan and elevations were submitted by Peter S. Danowski, Jr., Esq., as agent for Adam Gatz and Cornelia Gatz and William and Karen Gatz, for the construction of an 18 hole public golf course, with clubhouse, maintenance building, outbuildings, and attendant site improvements, located at the east side of Northville Turnpike (C.R. 43), south of Sound Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-19-1-15 & 44-3-1.1; and

**WHEREAS**, the Planning Department has reviewed the site plan (course routing and grading plans) dated July 18, 1997, as prepared by Robert Trent Jones II Golf Course Design Group, 705 Forest Avenue, Palo Alto CA, site plan for clubhouse and maintenance building dated last February 24, 1998, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, landscaping plan for the clubhouse, maintenance building, and parking lot dated last March 4, 1998, as prepared by J. Scott Lewendon, RLA, Landtech Design, 407 East Main Street, Suite 7, Port Jefferson NY 11777, and elevations dated last February 17, 1998, as prepared by Martin F. Sendlewski, AIA, 209 East Avenue, Riverhead NY 11901, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type I 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 98-11041 of the Office of the Supervisor of the Town of Riverhead; and;

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan and elevations submitted by Peter S. Danowski, Jr., Esq., as agent for Adam Gatz and Cornelia Gatz and William Gatz and Karen Gatz, for the construction of an 18 hole public golf course, with clubhouse, maintenance building, outbuildings, and attendant site improvements, located at the east side of Northville Turnpike (C.R. 43), south of Sound Avenue, Riverhead, New York, site plan dated July 18, 1997, as prepared by Robert Trent Jones II Golf Course Design Group, 705 Forest Avenue, Palo Alto CA, site plan for clubhouse and maintenance building dated last February 24, 1998, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, landscaping plan for the clubhouse, maintenance building, and parking lot dated last March 4, 1998, as prepared by J. Scott Lewendon, RLA, Landtech Design, 407 East Main Street, Suite 7, Port Jefferson NY 11777, and elevations dated last February 17, 1998, as prepared by Martin F. Sendlewski, AIA, 209 East Avenue, Riverhead NY 11901, 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 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Adam Gatz and Cornelia Gatz hereby authorizes and consents to the Town ;of Riverhead to enter premises at the east side of Northville Turnpike (C.R. 43), south of Sound Avenue, Riverhead, New York, to enforce said handicapped parking regulations;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all 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;
15. That no later than upon residential buildout of the surrounding parcel(s), the golf course owner shall install six foot (6') high black vinyl coated chain link fence to those

parcel(s), and shall supplement the buffer plantings thereto as necessary to comply with Section 108-64.1 of the Riverhead Town Code;

- 16. That black vinyl coated chain link fence, six feet (6') in height in the side and rear yards, shall be provided to the residential use indicated on the site plan approved herein and initialed by a majority of the Town Board;
- 17. That the Integrated Golf Course Management Plan as prepared by ACG Maintenance and submitted to the Town of Riverhead as part of the site plan application, and designed to mitigate potential environmental impacts, be adhered to in the construction, operation, and maintenance of the golf course; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., as agent for Adam Gatz and Cornelia Gatz and William Gatz and Karen Gatz, Robert Trent Jones II Design Group, Young & Young, Landtech Design, Martin F. Sendlewski, AIA, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_ day of \_\_\_\_\_, 1997, made by Adam Gatz and Cornelia Gatz, residing at 1763 Northville Turnpike, Riverhead NY 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 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Adam Gatz and Cornelia Gatz hereby authorizes and consents to the Town of Riverhead to enter premises at the east side of Northville Turnpike (C.R. 43), south of Sound Avenue, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all 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 later than upon residential buildout of the surrounding parcel(s), the golf course owner shall install six foot (6') high black vinyl coated chain link fence to those parcel(s), and shall supplement the buffer plantings thereto as necessary to comply with Section 108-64.1 of the Riverhead Town Code;

15. That the Integrated Golf Course Management Plan as prepared by ACG Maintenance and submitted to the Town of Riverhead as part of the site plan application and designed to mitigate potential environmental impacts, be adhered to in the construction, operation, and maintenance of the subject golf course.

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

\_\_\_\_\_

Adam Gatz

\_\_\_\_\_

Cornelia Gatz

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the \_\_\_\_\_ day of \_\_\_\_\_, 1998, before me personally came Adam Gatz and Cornelia Gatz, to me known and known to be the individuals who executed the foregoing instrument; that they are the owners of certain real property located at the east side of Northville Turnpike (C.R. 43), south of Sound Avenue, Riverhead, New York, the subject property of this Declaration and Covenant, and understand the content thereof; and that they did swear to me that they executed the same.

\_\_\_\_\_

NOTARY PUBLIC

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_ day of \_\_\_\_\_, 1997, made by William Gatz and Karen Gatz, residing at 5815 Magnolia Lane, Falls Church VA 22041, Declarant:

### WITNESSETH:

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

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

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

### NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Adam Gatz and Cornelia Gatz hereby authorizes and consents to the Town of Riverhead to enter premises at the east side of Northville Turnpike (C.R. 43), south of Sound Avenue, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all 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 later than upon residential buildout of the surrounding parcel(s), the golf course owner shall install six foot (6') high black vinyl coated chain link fence to those parcel(s), and shall supplement the buffer plantings thereto as necessary to comply with Section 108-64.1 of the Riverhead Town Code;
- 15. That the Integrated Golf Course Management Plan as prepared by ACG Maintenance and submitted to the Town of Riverhead as part of the site plan application and designed to mitigate potential environmental impacts, be adhered to in the construction, operation, and maintenance of the subject golf course.

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

\_\_\_\_\_  
William Gatz

\_\_\_\_\_  
Karen Gatz

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

On the \_\_\_\_\_ day of \_\_\_\_\_, 1998, before me personally came William Gatz and Karen Gatz, to me known and known to be the individual who executed the foregoing instrument; that they are the owners of certain real property located at the east side of Northville Turnpike (C.R. 43), south of Sound Avenue, Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that they did swear to me that they executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

**THE VOTE**

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwaana	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

## TOWN OF RIVERHEAD

RESOLUTION # 291

### DECLARES LEAD AGENCY AND DETERMINES SIGNIFICANCE OF ACTION – SPECIAL PERMIT OF WADING RIVER PRE-SCHOOL ACADEMY

**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution, which was seconded

by **COUNCILMAN LULL**

**WHEREAS**, the Riverhead Town Board is in receipt of a special permit petition from Catherine Tokar, as authorized by Nino Millitello, owner of Wading River Square pursuant to Section 108-110.1 B(5) of the Town Code for operation of a nursery school within a 2,000 square foot area of an existing commercial development located on a 2.4 acre parcel zoned Business 'CR' and known specifically as SCTM No. 0600-74-2-17.1, and

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

**WHEREAS**, the Riverhead Planning Department has reviewed the Environmental Assessment Form and supporting documentation and recommends the petition be considered an Unlisted Action for which coordinated review is optional and in this case unnecessary and has further recommended that the action will not have a significant effect upon the environment, now

**THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board declare itself to be the Lead Agency in the special permit application of Wading River Pre-School Academy, and

**BE IT FURTHER**

**RESOLVED**, that the application be considered to be an Unlisted Action which will not have a significant effect upon the environment and that a Draft Environmental Impact Statement need not be prepared, and

**BE IT FURTHER**

**RESOLVED**, that this classification and determination be considered to include any related approval subject to SEQR, and

**BE IT FURTHER**

**RESOLVED**, that the Riverhead Planning Department be directed to publish and post those notices as required by 6NYCRR Part 617, 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 and the applicant or his agent and to forward the petition to the Riverhead Planning Board for their report and recommendation.

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_

Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_

Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

## TOWN OF RIVERHEAD

Resolution # 292

### APPROVES TEMPORARY SIGN PERMIT APPLICATION OF CHARLES HYDELL (LONG ISLAND SHEDS & GAZEBOS)

Adopted \_\_\_\_\_

**COUNCILMAN LULL**

\_\_\_\_\_ offered the following resolution, which was

**COUNCILMAN CARDINALE**

seconded by \_\_\_\_\_:

**WHEREAS**, Charles Hydell has submitted a temporary sign permit application dated March 23, 1998, and sketch, for property located at 1685 Old Country Road (CR 58), Riverhead NY, more particularly described as Suffolk County Tax Map number 0600-119-1-10; and

**WHEREAS**, Section 108-56 C(5) of the Code of the Town of Riverhead provides for the approval of a temporary sign permit by the Town Board without a recommendation from the Architectural Review Board provided said sign meets certain conditions; and

**WHEREAS**, the Town Board has reviewed the application aforementioned;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the temporary sign permit application dated March 23, 1998, submitted by Charles Hydell be and is hereby approved in accordance with the sketch accompanying said application; and be it further

**RESOLVED**, that this approval shall remain in effect for a period of six (6) months from the date of this resolution and the applicant has agreed to remove the affected sign in accordance with this time period; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Charles Hydell, Paul's Lane, Peconic NY 11958, and the Building Department.

### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_

Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_

Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY DECLARED ADOPTED

04/21/98

# Adopted

TOWN OF RIVERHEAD

RESOLUTION # 293

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE DEMOLITION OF BUILDINGS OWNED BY BROOKFIELD FARMS INC. PURSUANT TO CHAPTER 54 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED, " UNSAFE BUILDINGS AND COLLAPSED STRUCTURES " .

**COUNCILMAN CARDINALE**

offered the following resolution, was seconded

**COUNCILMAN KWASNA**

by

**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 Brookfield Farms, Inc. located at 446 Main Road, Aquebogue, New York 11931, known and designed as Suffolk County Tax #600-085.00-03-003.00; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Brookfield Farms, Inc., Box 51, Main Road, Mattituck, New York 11952; The Assessor's Office and the Riverhead Town Building Department, and Riverhead Town Attorney's Office.

### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY DECLARED ADOPTED

# Adopted

## TOWN OF RIVERHEAD PUBLIC NOTICE

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 19th day of May, 1998 at 7:05 PM 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 Brookfield Farms, Inc. located at 466 Main Road, Aquebogue, New York 11931, known and designated as Suffolk County Tax Map# 0600-085.00-03-003.00, should secure the buildings situate 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 buildings 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: Riverhead, New York  
April 21, 1998

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

# Adopted

4/21/98

## TOWN OF RIVERHEAD

Resolution # 294

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE DEMOLITION OF BUILDINGS OWNED BY CHARLES MASON PURSUANT TO CHAPTER 54 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED, "UNSAFE BUILDINGS AND COLLAPSED STRUCTURES"**

COUNCILMAN KWASNA offered the following resolution, was seconded by

COUNCILMAN KENT :

**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) owned by Charles Mason located at 432 East Avenue, Riverhead, New York, further described as Suffolk County Tax Map #0600-126-4-48; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Charles Mason, 432 East Avenue, Riverhead, New York, 11901; the Office of the Town Attorney the Riverhead Building Department.

### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

**THEREUPON DULY DECLARED ADOPTED**

# Adopted

## TOWN OF RIVERHEAD PUBLIC NOTICE

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 19th day of May, 1998 at 7:10 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider whether the owner of real property owned by Charles Mason located at 432 East Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-126-4-48, should secure the buildings situate 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 buildings 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: Riverhead, New York  
April 21, 1998

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

# Adopted

4/21/98

TOWN OF RIVERHEAD

Resolution # 295

**APPROVES RATE RETAINER LETTER SUBMITTED BY THE LAW FIRM OF TWOMEY, LATHAM, SHEA & KELLEY AS SPECIAL COUNSEL**

COUNCILMAN KENT offered the following resolution, was seconded by

COUNCILMAN LULL :

**WHEREAS**, the Town Board is in receipt of a rate retainer letter from the Law Firm of Twomey, Latham, Shea and Kelley to act as special counsel.

**NOW THEREFORE BE IT RESOLVED**, effective April 8, 1998, the Town Board hereby approves the attached rate retainer letter from the Law Firm of Twomey, Latham, Shea and Kelley; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Law Firm of Twomey, Latham, Shea and Kelley, 33 West Second Street, P.O. Box 398, Riverhead, New York, 11901; the Town Attorney's Office and the Accounting Department.

### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT

**THEREUPON DULY DECLARED ADOPTED**

# TWOMEY, LATHAM, SHEA & KELLEY, LLP

ATTORNEYS AT LAW

33 WEST SECOND STREET  
P.O. BOX 398  
RIVERHEAD, NEW YORK 11901

TELEPHONE (516) 727-2180  
FACSIMILE (516) 727-1767

<http://www.suffolkclaw.com>  
[ttwomey@suffolkclaw.com](mailto:ttwomey@suffolkclaw.com)

TERRY Z. LUCAS \*  
JANICE L. SNEAD  
JAY P. QUARTARARO  
MARTHA L. LUFT  
ROBERT K. HOWARD \*  
JANE M. BARTON  
DWAYNE S. WAGNER

OF COUNSEL  
AMY B. TURNER

NY & LA BARS  
NY & CT BARS  
NY & MASS BARS

HAUPPAUGE OFFICE  
400 TOWNLINE ROAD  
HAUPPAUGE, N.Y. 11788  
(516) 265-1414

April 3, 1998

Adam Grossman, Esq.  
Town Attorney  
Town of Riverhead  
Town Hall  
200 Howell Avenue  
Riverhead, NY 11901

Dear Adam:

This letter is submitted in accordance with the Town Board Resolution of April 7, 1998 in which the Town retained this law firm to serve as Special Counsel to the Town of Riverhead.

During the period of our firm's retainer, we will act as counsel to the Office of the Town Attorney in any matters including litigation that may be required in state or federal court to further the interests of the Town of Riverhead.

Our municipal rate for 1998 is \$150 for a partner, \$125 for a senior associate, and \$65 for paralegal work. In addition, we will bill you for all reasonable disbursements including long-distance telephone service, overnight couriers, postage, and copying charges. We will submit all bills to you on a monthly basis for your review and approval. At the same, we will submit voucher forms which you provide us for this purpose.

Our bills will be accompanied by detailed billing records setting forth the names of those attorneys in our firm who have worked for the prior month on this matter or any other you assign to us, including each attorney's hourly rate, a description of the work performed on a daily basis, and the number of hours worked.

ANDREW A. TWOMEY, JR.  
BENJAMIN B. LATHAM  
MICHAEL J. SHEA, III  
STEPHEN D. KELLEY  
FRANCIS T. LICCIONE  
MICHAEL M. DUBINO  
WARD REALE  
BRUCE MOTT  
MICHAEL WATFIELD  
CHRISTOPHER CRONIN  
KATHLEEN V. SHANE

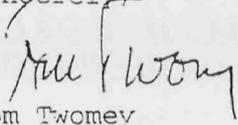
HAUPPAUGE OFFICE  
400 TOWNLINE ROAD  
HAUPPAUGE, N.Y. 11788  
(516) 265-1200

Adam Grossman, Esq.  
April 8, 1998  
Page -2-

Adopted

If you find the terms of this retainer agreeable, please signify your consent by signing below.

Sincerely,

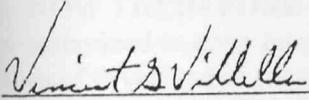


Tom Twomey

TAT: lsw

AGREED AND ACCEPTED:

Town of Riverhead

  
\_\_\_\_\_  
VINCENT G. VILLELLA  
TOWN SUPERVISOR

Dated: 4/14/98

# Adopted

4/21/98

## TOWN OF RIVERHEAD

Resolution # 296

### AUTHORIZES SUPERVISOR TO EXECUTE A CONTRACT BETWEEN SUFFOLK ONLINE ADVERTISING AND THE TOWN OF RIVERHEAD

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN KWASNA

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Supervisor be and is hereby authorized to enter into and execute a Contract between Suffolk Online Advertising and the Town of Riverhead in regard to the "Town of Riverhead Website"; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Suffolk Online Advertising, 15 Daly Court, Riverhead, New York, 11901; the Office of the Town Supervisor and the Office of the Town Attorney.

### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

## TOWN OF RIVERHEAD

# 297

### AMENDS RESOLUTION #229 OF 1998

COUNCILMAN KWASNA

\_\_\_\_\_ offered the following resolution,

COUNCILMAN CARDINALE

which was seconded by \_\_\_\_\_

**WHEREAS**, resolution #229 of 1998 appoints James Woodson to the position of Part-Time, Fill-In Kennel Attendant effective April 7, 1998; and

**WHEREAS**, Mr Woodson was called to work, and reported, as of April 1, 1998.

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board hereby amends resolution #229 of 1998 to read Mr. Woodson's starting date as April 1, 1998; and

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

### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

TOWN OF RIVERHEAD

Resolution # 298

**AUTHORIZES THE ATTENDANCE OF THE POLICE CAPTAIN  
AT A SEMINAR IN ALBANY**

**COUNCILMAN CARDINALE**

\_\_\_\_\_ offered the following resolution ,

which was seconded by **COUNCILMAN KENT** \_\_\_\_\_

**WHEREAS**, the Chief of Police has recommended that the Police Captain attend a seminar entitled "Investigative Technologies Seminar for Police Administrators/Managers" to be held at NYS Police Academy in Albany, New York, April 27, 1998; and

**WHEREAS**, there is no cost to the Municipality for the seminar, however, due to one required overnight stay, expenditures for travel, room and board will be incurred.

**NOW, THEREFORE, BE IT, RESOLVED**, that the Town Board hereby authorizes the attendance of the Captain at the Seminar in Albany, New York on April 27<sup>th</sup> with overnight accommodations; and

**BE IT FURTHER, RESOLVED**, that the Town Board authorizes expenditures upon submission of proper receipts; and

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

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

TOWN OF RIVERHEAD

Resolution # 299

**AUTHORIZES THE ATTENDANCE OF A POLICE SERGEANT**

**AT A CONFERENCE IN NEW YORK CITY**

**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution ,

which was seconded by **COUNCILMAN LULL** \_\_\_\_\_

**WHEREAS**, the Chief of Police has recommended that a Police Sergeant attend the Annual NYPD COMPSTAT Conference in New York City, May 11, 12 & 13 1998.

**NOW, THEREFORE, BE IT, RESOLVED**, that the Town Board hereby authorizes the attendance of the Sergeant at the Conference in New York City; and

**BE IT FURTHER, RESOLVED**, that the Town Board authorizes expenditures upon submission of proper receipts; and

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

**THE VOTE**

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

April 21, 1998

# Adopted

TOWN OF RIVERHEAD

Resolution # 300

## RATIFIES AUTHORIZATION FOR ATTENDANCE

### OF THE YOUTH COURT COORDINATOR AT A TRAINING SESSION IN ALBANY

COUNCILMAN LULL

\_\_\_\_\_ offered the following resolution ,

which was seconded by COUNCILMAN KWASNA

**WHEREAS**, the Division of Criminal Justice Services is conducting a training session in Albany, New York, April 20 & 21, 1998.

**NOW, THEREFORE, BE IT, RESOLVED**, that the Town Board hereby authorizes the attendance of the Coordinator at the Training Session in Albany; and

**BE IT FURTHER, RESOLVED**, that the Town Board authorizes expenditures, not in excess of \$250, upon submission of proper receipts; and

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

### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_

Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_

Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

TOWN OF RIVERHEAD

Resolution # 301

## AUTHORIZES THE ATTENDANCE OF A POLICE SERGEANT AT A TRAINING COURSE IN HARTFORD

COUNCILMAN KWASNA

\_\_\_\_\_ offered the following resolution ,

which was seconded by COUNCILMAN CARDINALE

**WHEREAS**, the Chief of Police has recommended that a Police Sergeant attend a Training Course entitled "Investigative Technologies", to be held at the Connecticut State Police Academy, Hartford, Connecticut, May 5-8, 1998; and

**WHEREAS**, there is no cost to the Municipality for the Course, however, expenditures for travel, room and board will be incurred.

**NOW, THEREFORE, BE IT, RESOLVED**, that the Town Board hereby authorizes the attendance of the Sergeant at the Training Session; and

**BE IT FURTHER, RESOLVED**, that the Town Board authorizes expenditures upon submission of proper receipts; and

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

**THE VOTE**

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

TOWN OF RIVERHEAD

Resolution # 302

**AUTHORIZES THE ATTENDANCE OF A POLICE SERGEANT**

**AT A TRAINING COURSE IN ROCHESTER**

**COUNCILMAN CARDINALE**

\_\_\_\_\_ offered the following resolution ,

which was seconded by **COUNCILMAN KENT** \_\_\_\_\_

**WHEREAS**, the Chief of Police has recommended that a Police Sergeant attend a Training Course entitled "Police Mental Health Project, Train-The-Trainer", to be held at the Monroe County Public Safety Training Center in Rochester, New York, April 21-23, 1998; and

**WHEREAS**, there is no cost to the Municipality for the seminar, however, expenses for travel, room and board will be incurred.

**NOW, THEREFORE, BE IT, RESOLVED**, that the Town Board hereby authorizes the attendance of the Sergeant at the Training Course in Rochester, New York; and

**BE IT FURTHER, RESOLVED**, that the Town Board authorizes expenditures upon submission of proper receipts; and

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

**THE VOTE**

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

April 21, 1998

# Adopted

TOWN OF RIVERHEAD

Resolution # 303 \_\_\_\_\_

## AUTHORIZES ATTENDANCE OF THE FIRE MARSHALL AT FIRE INVESTIGATION SESSIONS IN MONTOUR FALLS

**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution ,

which was seconded by **COUNCILMAN LULL** \_\_\_\_\_

**WHEREAS**, the Building Department Head has requested authorization for the Fire Marshall to attend "Fire Behavior and Principles of Fire Investigation" in Montour Falls, New York, May 4-8, 1998; and

**WHEREAS**, the Department Head has also requested that the Town Board authorize the attendance of the Fire Marshall at "Fire/Arson Investigation" also to be held in Montour Falls, June 1-12, 1998.

**NOW, THEREFORE, BE IT, RESOLVED**, that the Town Board hereby authorizes the attendance of the Fire Marshall at the aforementioned courses; and

**BE IT FURTHER, RESOLVED**, that the Town Board authorizes expenditures upon submission of proper receipts; and

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

### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

April 21, 1998

# Adopted

TOWN OF RIVERHEAD

Resolution # 304

GENERAL FUND

BUDGET ADJUSTMENT

COUNCILMAN LULL

\_\_\_\_\_ offered the following resolution ,  
COUNCILMAN KWASNA  
which was seconded by \_\_\_\_\_

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

	<b>FROM:</b>	
001.013300.515502 TAX COLLECTION, SEASONAL CLERKS	\$ 600.	
001.035100.542400 ANIMAL CONTROL, UNIFORMS	350.	
001.075200.540000 HISTORICAL PROPERTIES, CONTR. EXP	7,500.	

	<b>TO:</b>	
001.013300.543405 TAX COLLECTION, TRAVEL	\$ 600.	
001.035100.543400 ANIMAL CONTROL, EDUCATION	350.	
001.016250.541153 SUFFOLK THEATER, BUILDING MAINT	7,500.	

### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
 Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
 Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

TOWN OF RIVERHEAD

Resolution # 305

## 1998 POLICE STATION IMPROVEMENTS

### CAPITAL PROJECT

### BUDGET ADOPTION

**COUNCILMAN KWASNA**

\_\_\_\_\_ offered the following resolution ,

which was seconded by **COUNCILMAN CARDINALE** \_\_\_\_\_

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

406.013100.492215.40044	LOCAL LAW ENFORC BLOCK GRANT	<b>FROM:</b> \$20,000.
406.016200.523011.40044	CONSTRUCTION	<b>TO:</b> \$20,000.

### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_

Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_

Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

TOWN OF RIVERHEAD

Resolution # 306

WATER PUMP STATION #1 BUILDING IMPROVEMENTS

CAPITAL PROJECT

BUDGET ADJUSTMENT

**COUNCILMAN CARDINALE**

offered the following resolution ,

which was seconded by **COUNCILMAN KENT**

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

406.083200.482220.30053

REPAIR & MAINT RESERVE

**FROM:**  
\$350.

406.083200.522100.30053

CONSTRUCTION OF FACILITY

**TO:**  
\$350.

### THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_

Kwasna  Yes \_\_\_ No \_\_\_ Luli  Yes \_\_\_ No \_\_\_

Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY DECLARED ADOPTED

April 21, 1998

# Adopted

TOWN OF RIVERHEAD

Resolution # 307

## RECREATION PROGRAM FUND

### BUDGET ADJUSTMENT

COUNCILMAN KENT

\_\_\_\_\_ offered the following resolution ,

COUNCILMAN LULL

which was seconded by \_\_\_\_\_

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

006.000000.390599

APPROPRIATED FUND BALANCE

FROM:

\$17,000.

006.076250.549500

FIELD IMPROVEMENTS

TO:

\$17,000.

### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

April 21, 1998

# Adopted

## TOWN OF RIVERHEAD

Resolution # 308

### CHILDREN'S PLAYGROUND @ STOTZKY PARK

### CAPITAL IMPROVEMENT PROJECT

### BUDGET ADJUSTMENT

COUNCILMAN LULL

\_\_\_\_\_ offered the following resolution,

which was seconded by COUNCILMAN KWAENA

**RESOLVED**, that the Town Board hereby authorizes the following budget adjustment:

406.095031.481900.70037	SPECIAL TRUST TRANSFERS	<b>FROM:</b> \$12,000.
-------------------------	-------------------------	---------------------------

406.071100.523007.70037	OFF STREET PARKING IMPROVEMENTS	<b>TO:</b> \$12,000.
-------------------------	---------------------------------	-------------------------

### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwaena	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

# Adopted

April 21, 1998

TOWN OF RIVERHEAD

Resolution # 309

**WATER DISTRICT**  
**BUDGET ADJUSTMENT**

**COUNCILMAN KWASNA**

\_\_\_\_\_ offered the following resolution,  
which was seconded by **COUNCILMAN CARDINALE** \_\_\_\_\_

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

112.000000.390599	APPROPRIATED FUND BALANCE	FROM:	\$23,700.
112.083200.523014	UTILITY INSTALLATION IMPROVMTS	TO:	\$23,700.

**THE VOTE**

Cardinale  Yes  No      Kent  Yes  No  
 Kwasna  Yes  No      Lull  Yes  No  
 Villella  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

# Adopted

## RES. #310

RESOLUTION AUTHORIZING ACCEPTANCE  
OF PROPERTY FROM SUFFOLK COUNTY  
AND AGREEMENT WITH SWEZEY-RIVERHEAD HOLDING LLC  
Adopted APRIL 21, 1998

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

WHEREAS, the Riverhead Town Board seeks to foster the economic renewal and development of downtown Riverhead through the removal of blighted structures, and

WHEREAS, Suffolk County Division of Real Estate is the owner of premises known as the Suburban Furniture Building on Roanoke Avenue, SCTM 0600-128-6-51, which building is a dilapidated and blighted building, and

WHEREAS, the Suffolk County Division of Real Estate has advised the Town of Riverhead that the subject premises may be acquired for \$45,000, plus current tax adjustment in the amount of \$21.28 per day commencing from December 1, 1997, through date of acquisition, and

WHEREAS, the improvements presently existing on the site will be demolished at the sole expense of the Swezey's organization and

WHEREAS, this parcel will be incorporated into and made part of a larger plot for the construction of a new facility for the Swezey's Department Store,

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead does hereby accept the terms of the conveyance as set forth in the attached letter of David Fishbein, Esq., Director of Division of Real Estate, provided that the Urban Renewal Agreement referred to in the following paragraph is executed by all parties prior to purchase and be it further

RESOLVED, that the Supervisor be and is hereby authorized to negotiate and enter into an Urban Renewal Agreement with Swezey-Riverhead Holding LLC providing for full reimbursement of the costs associated with the acceptance of the County offer as set forth above and the conveyance of the subject premises to Swezey-Riverhead Holding LLC upon payment of such fees and costs, and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Michael J. Caraociolo; George Gatta, Jr., Deputy County Executive; Janet DeMarzo, Assistant Deputy County Executive; Lisa Jusino, Assistant County Attorney; Phyllis Haner, Auction/Direct Sales Unit Supervisor; Shepard Sheinberg, Esq.; Swezey-Riverhead Holding LLC; and Monique Gablenz, Riverhead Industrial Development Agency.

## COUNTY OF SUFFOLK



ROBERT J. GAFFNEY  
SUFFOLK COUNTY EXECUTIVE

ROBERT J. CIMINO  
COUNTY ATTORNEY

DEPARTMENT OF LAW  
DIVISION OF REAL ESTATE

ADDRESS ALL COMMUNICATIONS  
IN THIS MATTER TO:

March 26, 1998

Hon. Vincent G. Vilella, Supervisor  
Town of Riverhead  
200 Howell Avenue  
Riverhead, New York 11901

Re: Tax Map No. 600-128-6-51  
Old Suburban Furniture Building, Roanoke Avenue,  
Riverhead, New York

Dear Vince:

Please accept this letter in confirmation of our March 25, 1998 telephone conversation regarding the above matter. Subject to the approval of the Suffolk County Legislature, we have agreed to convey the above premises to the Town of Riverhead pursuant to General Municipal Law 572-h, for \$45,000.00 plus current tax adjustments. The subject premises shall be used for economic development purposes. The resolution to be submitted to the Suffolk County Legislature shall be sponsored by Deputy Presiding Officer, Michael Caracciolo.

Accordingly, the Division of Real Estate is preparing the subject resolution so that it may be laid on the table at the March 31, 1998 meeting of the Legislature, so that it may be eligible to be acted upon at the April 28, 1998 meeting of the Legislature. This is being done since it is our understanding that the economic development process is to commence at or about the end of April, 1998.

Normally, a Town Board Resolution accepting the subject terms of such a conveyance is a condition precedent to initiate the above type of resolution. Accordingly, would you please kind enough to immediately favor me with this resolution. Should you have any further questions with reference to this matter, please do not hesitate to contact either myself, Assistant County Attorney, Lisa Jusino (853-5933) or Auction/Direct Sales Unit Supervisor, Phyllis Haner (853-5925).

Kind regards.

Very truly yours,

David P. Fishbein, Director  
Division of Real Estate  
Department of Law

DPF:kf

(099)

CC: Hon. Michael J. Caracciolo, Deputy Presiding Officer  
George Gatta, Jr., Deputy County Executive  
Janet DeMarzo, Assistant Deputy County Executive  
Lisa Jusino, Assistant County Attorney  
Phyllis Haner, Auction/Direct Sales Unit Supervisor

(Via facsimile and regular mail)

# Adopted

RESOLUTION # 311 ABSTRACT #15-98 APRIL 8, 1998 (TBM 4/21/98)

**COUNCILMAN KWASNA** offered the following Resolution which was seconded by  
**COUNCILMAN LULL**

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 481,146.81	\$ 481,146.81
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ 406.05	\$ 406.05
RECREATION PROGRAM	006	\$ -	\$ 2,296.89	\$ 2,296.89
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ 114.05	\$ 114.05
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 1,362.23	\$ 1,362.23
HIGHWAY	111	\$ -	\$ 77,393.29	\$ 77,393.29
WATER	112	\$ -	\$ 36,849.70	\$ 36,849.70
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
SEWER	114	\$ -	\$ 17,882.06	\$ 17,882.06
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 4,193.32	\$ 4,193.32
STREET LIGHTING DISTRICT	116	\$ -	\$ 8,514.88	\$ 8,514.88
PUBLIC PARKING DISTRICT	117	\$ -	\$ 3,117.15	\$ 3,117.15
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 27.44	\$ 27.44
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ -	\$ 8,725.00	\$ 8,725.00
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ 39.86	\$ 39.86
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 632.68	\$ 632.68
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT SERVICE	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT SERVICE	382	\$ -	\$ -	\$ -
WATER DEBT SERVICE	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 20,647.51	\$ 20,647.51
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 504.87	\$ 504.87
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL	625	\$ -	\$ 4,424.78	\$ 4,424.78
MUNICIPAL GARAGE	626	\$ -	\$ 1,036.24	\$ 1,036.24
TRUST & AGENCY	735	\$ -	\$ 566,288.58	\$ 566,288.58
SPECIAL TRUST	738	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 660.00	\$ 660.00
JOINT SCAVENGER WASTE	918	\$ -	\$ 3,901.11	\$ 3,901.11
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
<b>TOTALS</b>		\$ -	\$ 1,240,164.50	\$ 1,240,164.50

**THE VOTE**

Cardinale  Yes  No   
 Kent  Yes  No  
 Kwasna  Yes  No   
 Lull  Yes  No  
 Viliella  Yes  No

THE RESOLUTION WAS  **ADOPTED**  
 THEREUPON DULY DECLARED ADOPTED

# Adopted

RESOLUTION # 311 ABSTRACT #16-98 APRIL 16, 1998 (TBM 4/21/98)

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

FUND NAME		CD-4/14/98	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 3,200,000.00	\$ 34,659.52	\$ 3,234,659.52
PARKING METER	002	\$ 4,000.00	\$ -	\$ 4,000.00
AMBULANCE	003	\$ 20,000.00	\$ -	\$ 20,000.00
POLICE ATHLETIC LEAGUE	004	\$ 5,000.00	\$ 1,325.00	\$ 6,325.00
TEEN CENTER	005	\$ -	\$ 173.00	\$ 173.00
RECREATION PROGRAM	006	\$ -	\$ 3,462.80	\$ 3,462.80
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
HIGHWAY	111	\$ 350,000.00	\$ 7,621.44	\$ 357,621.44
WATER	112	\$ 900,000.00	\$ 23,016.71	\$ 923,016.71
REPAIR & MAINTENANCE	113	\$ 450,000.00	\$ -	\$ 450,000.00
SEWER	114	\$ 500,000.00	\$ 7,694.37	\$ 507,694.37
REFUSE & GARBAGE COLLECTION	115	\$ 140,000.00	\$ 156.93	\$ 140,156.93
STREET LIGHTING DISTRICT	116	\$ 175,000.00	\$ 24,438.37	\$ 199,438.37
PUBLIC PARKING DISTRICT	117	\$ 80,000.00	\$ 50.30	\$ 80,050.30
BUSINESS IMPROVEMENT DISTRICT	118	\$ 35,000.00	\$ 4,284.94	\$ 39,284.94
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ 125,000.00	\$ -	\$ 125,000.00
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ 100,000.00	\$ -	\$ 100,000.00
UNEMPLOYMENT INSURANCE FUND	176	\$ 2,000.00	\$ 810.00	\$ 2,810.00
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 SERVICE	381	\$ 7,500.00	\$ -	\$ 7,500.00
SEWER DISTRICT DEBT SERVICE	382	\$ 2,000.00	\$ -	\$ 2,000.00
WATER DEBT SERVICE	383	\$ 250,000.00	\$ -	\$ 250,000.00
GENERAL FUND DEBT SERVICE	384	\$ 125,000.00	\$ -	\$ 125,000.00
SCAVENGER WASTE DEBT	385	\$ 20,000.00	\$ -	\$ 20,000.00
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ 230,000.00	\$ 201,644.40	\$ 431,644.40
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMP	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 1,554.55	\$ 1,554.55
SENIORS HELPING SENIORS	453	\$ 2,500.00	\$ 1,735.41	\$ 4,235.41
EISEP	454	\$ -	\$ 705.50	\$ 705.50
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL	625	\$ 125,000.00	\$ 378.60	\$ 125,378.60
MUNICIPAL GARAGE	626	\$ 35,000.00	\$ 13,474.49	\$ 48,474.49
TRUST & AGENCY	735	\$ -	\$ 195,000.00	\$ 195,000.00
SPECIAL TRUST	736	\$ 400,000.00	\$ -	\$ 400,000.00
COMMUNITY DEVELOPMENT AGENCY	915	\$ 75,000.00	\$ 435.00	\$ 75,435.00
JOINT SCAVENGER WASTE	918	\$ -	\$ 20,899.56	\$ 20,899.56
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 7,358,000.00	\$ 543,520.89	\$ 7,901,520.89

THE VOTE

Cardinale  Yes  No  Yes  No  
 Kent  Yes  No  Yes  No  
 Kwana  Yes  No  Yes  No  
 Lull  Yes  No  
 Villetta  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY DECLARED ADOPTED

# Adopted

4/21/98

TOWN OF RIVERHEAD

### RESOLUTION NO. 312

RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE CHANGE ORDER

RE: RIVERHEAD SEWER DISTRICT EXTENSION, SANITARY SEWER CONNECTION, ROUTE 58, PAV-CO ASPHALT, CO., INC.

Adopted April 21, 1998

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

RESOLVED, that the Supervisor be and is hereby authorized to execute Change Order No. 2 for the project known as Riverhead Sewer District Extension, Sanitary Sewer, Route 58, with Pav-Co Asphalt Co., Inc. which will authorize an expenditure of an additional \$19,946, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to H2M, Frank Isler, Esq., Pav-Co Asphalt Co., Inc.; Accounting Department; Kenneth Testa; Michael Reichel.

### THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villetta	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

April 16, 1998

**CHANGE ORDER NO. 2**

**PROJECT:**

Town of Riverhead/Riverhead Sewer District  
Commercial Sewer District Extension  
Sanitary Sewer Construction  
Contract No. SRF 5123-01-02-S

**OWNER:**

Town of Riverhead  
200 Howell Avenue  
Riverhead, New York 11901

Contact: Ken Testa, P.E., Town Engineer  
(516) 727-3200 Ext. 279

**CONTRACTOR:**

Pav-Co Asphalt Co., Inc.  
615 Furrows Road  
Holtsville, New York 11742

Contact: Roger Bigbie  
(516) 289-3406

**ENGINEER:**

Holzmacher, McLendon & Murrell, P.C.  
575 Broad Hollow Road  
Melville, New York 11747-5076

Contact: Frank M. Russo, P.E.  
(516) 756-8000, Ext. 433

**DESCRIPTION OF CHANGE ORDER:**

- A. Replace open cut sewer and forcemain installation with sewer jacking at electrical manhole in front of Apple Motors.

**REASON FOR MODIFICATION**

- A. After discussions with LILCO concerning the electrical manhole at Apple Motors, the service was determined to consist of a primary cable which would require total disconnection during open cut construction. The only way to provide continuous electrical service to the car dealership, would be to jack under the existing service.

**CONTRACTOR'S PROPOSAL**

- A. Lump Sum Cost per Pavco proposal dated April 1, 1998 \$19,946.00

# H2M GROUP

# Adopt

This change reduces the as-bid quantities as follows:

<u>Item #</u>	<u>Bid Price</u>	<u>Quantity</u>	<u>Cost</u>
1	\$42.60/L.F.	30 L.F.	\$1,278.00
7	\$51.00/L.F.	30 L.F.	\$1,530.00
29	\$10.85/S.Y.	33 S.Y.	\$ 358.05
37	\$4.80/L.F.	30 L.F.	\$ 144.00
40	\$545/Each	1	\$ 545.00
44	\$1,940/Each	1	\$1,940.00
35	\$11.80/L.F.	15 L.F.	\$ 177.00
<b>TOTAL</b>			<b>\$5,972.05</b>

Therefore, the net increase from the as-bid price is \$13,973.95

**CONTRACT CHANGES:**

ORIGINAL ESTIMATED CONTRACT AMOUNT:	\$1,123,000.00
CHANGE ORDER NO.1:	\$ 60,583.50
SUBTOTAL	<u>\$1,183,583.50</u>
LESS UNIT PRICE ITEMS FOR APPLE MOTORS	\$ (5,972.50)
SUBTOTAL	<u>\$1,177,611.00</u>
CHANGE ORDER NO.2:	\$ 19,946.00
NEW ESTIMATED CONTRACT AMOUNT:	<u>\$1,197,557.00</u>

**CHANGE IN CONTRACT COMPLETION:**

There will be no change in the contract completion date for the work described in this change order.

PREPARED BY  
ENGINEER: \_\_\_\_\_ DATE: \_\_\_\_\_  
Holzmacher, McLendon & Murrell, P.C.

APPROVED BY  
CONTRACTOR: \_\_\_\_\_ DATE: \_\_\_\_\_  
Pav-Co Asphalt Co., Inc.

OWNER: \_\_\_\_\_ DATE: \_\_\_\_\_  
Town of Riverhead Supervisor Vincent Vilella