

Adopted

FILED IN THE OFFICE
OF THE TOWN CLERK

DEC 15 9 51 AM '98

January 5, 1999

BARRY P. ...
TOWN CLERK

Town of Riverhead

RESOLUTION # 1100

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

CARDINALE offered the following resolution, was seconded by
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) purportedly owned by Glider Holding Corp., located at 705 Roanoke Avenue (corner of Pulaski Street & Roanoke Avenue), Riverhead, New York 11901, known an designed as Suffolk County Tax #0600-126.00-02-016.02; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Glider Holding Corp., 116 Glider Avenue, Riverhead, New York 11901, The Fire Marshal, The Assessor's Office, Town Engineer's Office; Town Attorney's Office and the Town Building Department.

January 05, 1999

TOWN OF RIVERHEAD

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 28th day of January 1999 at 1:00 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 Glider Holding Inc., 116 Glider Avenue, Riverhead, New York 11901, known and designated as Suffolk County Tax Map#126.00-02-016.02, should secure the buildings(s) situated on said property so that the health, safety and welfare of the residents of the Town of Riverhead shall not be endangered or, if the building(s) are found to be in an unsafe condition as described pursuant to Chapter 54 of the Code of the Town of Riverhead entitled, "Unsafe Buildings and Collapsed Structures " to be repaired and secured or demolished and removed.

Dated: Riverhead, New York
January 05, 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

Adopted

12/15/98

TOWN OF RIVERHEAD

Resolution # 1101

AUTHORIZES THE RELEASE OF Performance Bond for Knightland Inc.

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

WHEREAS, Grace C. Kenny of Knightland Inc. posted a 5% Performance Bond in the sum of Four Thousand Five Hundred dollars (\$4500.00) pursuant to Section 108-133.1 of the Riverhead Town Code;

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction and Certificate of Occupancy #14222 has been issued for said construction.

NOW, THEREFORE, BE IT RESOLEVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the Performance Board in the amount of Four Thousand Five Hundred Dollars (\$4500.00). And be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Leroy Barnes, Building Department Administrator; Grace C. Kenny, 112 Suffolk Road, Island Park, N.Y. 11558; and Charlene Cambia, Senior Auditor; and the Accounting Department.

THE VOTE

Cardinale Yes No Kent Yes No
Kwasna Yes No Lull Yes No
Vilrella Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted
Adopted

12/15/98

TOWN OF RIVERHEAD

Resolution # 1102

AUTHORIZES THE RELEASE OF Performance Bond for Main Road Associates.

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

WHEREAS, Main Road Associates posted a 5% Performance Bond in the sum of Three Thousand Three Hundred Forty-Two (\$3342.00) pursuant to Section 108-133.1 of the Riverhead Town Code;

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction and Certificate of Occupancy #14029 has been issued for said construction.

NOW, THEREFORE, BE IT RESOLEVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the Performance Board in the amount of Three Thousand Three Hundred Forty-Two dollars (\$3342.00). And be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Leroy Barnes, Building Department Administrator; Main Road Associates, P.O. Box 1348, Watermill, New York 11976-1348; and Charlene Cambia, Senior Auditor; and the Accounting Department.

THE VOTE

Cardinale Yes No Kent Yes No
Kwasna Yes No Lull Yes No
Villega Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

December 15, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 1103

AMENDS SITE PLAN OF RIVERHEAD FREE LIBRARY

Councilman Cardinale offered the following resolution, which was seconded by Councilman Kent:

WHEREAS, by Resolution # 729, dated August 18, 1998, the Riverhead Town Board did approve the site plan of Michael Tortorice, R.A., as agent for the Riverhead Free Library, for the construction of additions to three sides of the present library building, totalling 11,097 square feet, as well as relocation of the Yellow Barn, and attendant site improvements, located at 330 Court Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128-2-21.3, and

WHEREAS, Michael Tortorice, R.A., as agent for the Riverhead Free Library, has requested that a modification of said site plan approval in regard to the parking construction and configuration, as indicated on a site plan dated November 25, 1998, as prepared by Walter K. Pulver, RLA, 134 Northfield Road, Hauppauge NY 11788, be approved by the Riverhead Town Board, and

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

WHEREAS, this Town Board has reviewed the modification aforementioned, and

WHEREAS, the site plan amendment fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been waived as per a memo of the Office of the Supervisor of the Town of Riverhead dated August 10, 1998;

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Riverhead does amend the site plan approval of Michael Tortorice, R.A., as agent for the Riverhead Free Library to provide for the following:

the parking construction and configuration, as indicated on a site plan dated November 25, 1998, as prepared by Walter K. Pulver, RLA, 134 Northfield Road, Hauppauge NY 11788, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael Tortorice, R.A., as agent for the Riverhead Free Library, Walter K. Pulver, RLA, the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and 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

December 15, 1998

TOWN OF RIVERHEAD

Resolution # 1104

ACCEPTS DRAFT ENVIRONMENTAL IMPACT STATEMENT OF TRADITIONAL LINKS, LLC

Councilman Kent offered the following resolution which

was seconded by Councilman Lull

WHEREAS, the Riverhead Town Board is in receipt of a petition from Traditional Links, LLC, to amend the Zoning Use District Map of the Town of Riverhead to provide for the Recreation District to the exclusion of the existing Agriculture "A" and Residential "A" Zoning Use districts, on real property located at Sound Avenue, Riverhead' such real property more particularly described as Suffolk County Tax Map No. 0600-41-1-10.5, and

WHEREAS, by resolution number 119 of 1998 the Riverhead Town Board did determine the petition to be a Type I action requiring the preparation of a Draft Environmental Impact Statement, and

WHEREAS, by resolution number 612 of 1998 the Town Board did adopt a final written scope of issues to be addressed in the Draft Environmental Impact Statement, and

WHEREAS, the Planning Department is in receipt of a preliminary Draft Environmental Impact Statement (DEIS) as prepared by DRU Associates, Inc., dated December 2, 1998, and

WHEREAS, the Planning Department has reviewed the preliminary DEIS and has recommended that the document adequately addresses the topics designated in the adopted scope of issues, satisfies the requirements of 6NYCRR, Part 617.9 with respect to content and complies with 6NYCRRR Part 617.9 with respect to organization, comprehensibility and the like, and

WHEREAS, the Town Board has carefully considered the contents of the subject Draft Environmental Impact Statement as well as the report of the Planning Director, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby accepts the preliminary Draft Environmental Impact Statement prepared by DRU Associates, Inc. in support of the change of zone petition of Traditional Links, LLC as satisfactory and complete with respect to scope, content and adequacy, and

THE VOTE

Cardinale [checked] Yes ___ No ___ Kent [checked] Yes ___ No ___
Kwasna [checked] Yes ___ No ___ Lull [checked] Yes ___ No ___
Vilella [checked] Yes ___ No ___

THE RESOLUTION WAS [checked] WAS NOT ___

THEREUPON DULY DECLARED ADOPTED

BE IT FURTHER

RESOLVED, that the Planning Director be authorized to file those notices of completion as prescribed by 6NYCRR Part 617.12 and properly circulate the DEIS, and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish and post the attached Notice of Public Hearing scheduling a hearing on the Draft Environmental Impact Statement, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be transmitted to Shepard Scheinberg, Esq. as agent for the applicant.

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 5th day of January, 1999 at 7:20 o'clock p.m. at 200 Howell Avenue, Riverhead, New York to hear all interested parties to consider the Draft Environmental Impact Statement prepared in support of the Change of Zone petition of Traditional Links, LLC upon real property located at Sound Avenue, Baiting Hollow, such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-41-1-10.5. Copies of the aforementioned DEIS are available at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; the Town of Riverhead Planning Department, and at the Riverhead Free Library.

DATED: December 15, 1998
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

December 15, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 1105

APPROVES SITE PLAN OF POLISH TOWN CIVIC ASSOCIATION PAVILION

Councilman Lull offered the following resolution,

which was seconded by Councilman Cardinale:

WHEREAS, a site plan and elevations were submitted by Robert B. Gottschalk, Jr., as agent for the Polish Town Civic Association, for the construction of a 9600 square foot open air pavilion, located at the southeast corner of Lincoln Street and Osborne Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128-1-24; and

WHEREAS, the Planning Department has reviewed the site plan dated last November 10, 1998, as prepared by Martin F. Sendlewski, AIA, 209 East Avenue, Riverhead NY 11901, and elevations dated last November 10, 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 waived as per a memo dated December 14, 1998 from 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 Robert B. Gottschalk, Jr., as agent for the Polish Town Civic Association, for the construction of a 9600 square foot open air pavilion, located at the southeast corner of Lincoln Street and Osborne

Avenue, Riverhead, New York, site plan dated last November 10, 1998, as prepared by Martin F. Sendlewski, AIA, 209 East Avenue, Riverhead NY 11901, and elevations dated last November 10, 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 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;
8. That all utilities shall be constructed underground;
9. 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.

10. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
11. 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;
12. That this approval is specific to the open air pavilion, and that any enclosure of same, or construction of parking or other site amenities shall be the subject of a future site plan review and approval;
13. That this approval shall be subject to the provision of the dormers on the structure elevation drawings which are indicated as "optional"; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert B. Gottschalk, Jr., as agent for the Polish Town Civic Association, Martin F. Sendlewski, AIA, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 1998, made by Polish Town Civic Association, residing at 300 Lincoln Street, 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. 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;
7. That all utilities shall be constructed underground;
8. 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;
9. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
10. 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.

POLISH TOWN CIVIC ASSOCIATION

By: _____

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of _____, 1998, before me personally came _____, to me known, and known to me to be one of the members of the firm of _____, described in and who executed the foregoing instrument, and (s)he acknowledged to me that (s)he executed the same as and for the act and deed of said firm.

NOTARY PUBLIC

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
Vilella Yes No

THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY DECLARED ADOPTED

Adopted

December 15, 1998

TOWN OF RIVERHEAD

Resolution # 1106APPROVES SITE PLAN OF 254 ROUTE 58 CORP. (CABLEVISION PARKING LOT EXPANSION)

Councilman Cardinale offered the following resolution, which was seconded by Councilman Kent:

WHEREAS, a site plan was submitted by Paul Elliott, as agent for Peter R. Price, for the expansion of a parking lot, located at the north side of Old Country Road (CR 58), Riverhead, New York, known and designated as Suffolk County Tax Map Number 060084-4-p/o 23; and

WHEREAS, the Planning Department has reviewed the site plan dated June 26, 1998, as prepared by Young & Young, 400 Ostrander Ave., 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 98-34801 of the Office of the Supervisor of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Paul Elliott, as agent for Peter R. Price, for the expansion of a parking lot, located at the north side of Old Country Road (CR 58), Riverhead, New York, site plan dated June 26, 1998, as prepared by Young & Young, 400 Ostrander Ave., Riverhead NY 11901, be and is hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Peter R. Price hereby authorizes and consents to the Town of Riverhead to enter premises at the north side of Old Country Road (CR 58), 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 at such time as the lease on the subject parcel terminates, the property owner and the applicant shall be responsible for the removal of the improvements that are constructed as a result of this site plan approval, as well as the revegetation of said area, pursuant to a future site plan review and approval by the Town Board. Upon a land conveyance of the land that is the subject of this resolution to the parcel adjacent to the south (SCTM 0600-84-4-30.1), this condition for removal of improvements and revegetation shall become null and void;
16. That this approval shall be subject to the provision of a curbed, landscaped island as indicated on the site plan approved herein and initialed by a majority of the Town Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Paul Elliott, as agent for Peter R. Price, PO Box 51, Westhampton Beach NY 11978, 254 Route 58 Corp., Allen M. Smith, Esq., Young & Young, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 1998, made by Peter R. Price, residing at 24 Library Avenue, Westhampton Beach NY 11978, 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 and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Peter R. Price hereby authorizes and consents to the Town of Riverhead to enter premises at thr north side of Old Country Road (CR 58), 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 at such time as the lease on the subject parcel terminates, the property owner and the applicant shall be responsible for the removal of the improvements that are constructed as a result of this site plan approval, as well as the revegetation of said area, pursuant to a future site plan review and approval by the Town Board. Upon a land conveyance of the land that is the subject of this resolution to the parcel adjacent to the south (SCTM 0600-84-4-30.1), this condition for removal of improvements and revegetation shall become null and void;

15. That this approval shall be subject to the provision of a curbed, landscaped island as indicated on the site plan approved herein and initialed by a majority of the Town Board.

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

Peter R. Price

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

On the _____ day of _____, 1998, before me personally came Peter R. Price, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at thr north side of Old Country Road (CR 58), Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

THE VOTE
Cardinale Yes No Kent Yes No
Kwasna Yes No Lull Yes No
Vilrella Yes No
THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY DECLARED ADOPTED

Tabled

December 15, 1998

TOWN OF RIVERHEAD

Resolution # 1107

DENIES ZONING AMENDMENT AND ATTENDING SPECIAL PERMIT OF JOHN TSUNIS

Councilman Kent offered the following resolution which was seconded by Councilman Lull **TO BE TABLED.**

WHEREAS, the Riverhead Town Board is in receipt of a zoning amendment petition from John Tsunis to amend the Industrial A Zoning Use District to provide for hotel use as a special permit use, together with an attending special permit petition to allow the construction of a 140 unit hotel facility on real property located at Route 58, Riverhead; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-101-1-10.2, and

WHEREAS, by resolution number 677 of 1998, this Town Board did determine the proposed actions to be Unlisted without a significant impact upon the environment and that an Environmental Impact Statement need not be prepared, and

WHEREAS, the petition was referred to the Riverhead Planning Board and the Suffolk County Planning Commission for their reports and recommendations; such Planning Board and Planning Commission recommending that both the zoning amendment and special permit applications be denied, and

WHEREAS, a public hearing was held upon the subject petitions on November 17, 1998, and

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

THEREFORE, BE IT

RESOLVED, that in the matter of the zoning amendment petition of John Tsunis, the Riverhead Town Board hereby makes the following findings:

1. That a hotel is defined as: "A building or part thereof which has a common entrance, common heating system and general dining room and which contains

- seven (7) or more living and sleeping rooms designed to be occupied by individuals or groups of individuals, for compensation”;
- 2. That the Industrial A Zoning Use District currently provides for “motel” as a special permit use but does not provide for hotel as either a permitted or special permit use;
- 3. That the Zoning Ordinance does provide for hotel as a special permit use within the Industrial C, Business A and Recreational Zoning Use Districts;
- 4. That hotel development upon Industrial A zoned properties is not contemplated by the Zoning Ordinance;
- 5. That hotel development driven by market forces is preferable upon those parcels within zoning use districts currently providing for hotel use;
- 6. That the proposed project is not considered a hotel in that a general dining room is not being provided;
- 7. That the Town is in the process of amending its Comprehensive Master Plan and that the proposed zoning amendment is of such a significance that it should only be considered subsequent to the conclusions of the townwide Master Plan Land Use Study; and

BE IT FURTHER

RESOLVED, that in the matter of the special permit of John Tsunis to allow the construction of a 140 unit hotel, the Riverhead Town Board hereby makes the following findings:

- 1. That the Industrial A Zoning Use District does not provide for the proposed hotel land use;
- 2. That the consideration such use as a special permit is ultra vires, and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board based upon its findings hereby denies the instant zoning amendment petition, and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board hereby denies the subject special permit petition as the Industrial A Zoning Use district does not provide for the consideration of a hotel use on the premises by special permit, and

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to John Tsunis or his agent, the Riverhead Planning Board and the Planning 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 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 _____

THE RESOLUTION WAS **Tabled** UPON DULY DECLARED ADOPTED

Adopted

December 15, 1998

TOWN OF RIVERHEAD

RESOLUTION # 1108

DECLARES LEAD AGENCY AND DETERMINES SIGNIFICANCE OF ACTION - ZONE CHANGE, SPECIAL PERMIT AND SITE PLAN OF ISLAND WATER PARK

Councilman Lull offered the following resolution, which was seconded by Councilman Cardinale:

WHEREAS, the Riverhead Town Board is in receipt of a petition from David Fuhrmann, Vice President of Island Water Park, Inc. to have the zoning of a 51.4 acre parcel changed from the Agriculture A to the Industrial A District and an attendant special permit petition pursuant to Section 108-45 B(11) and (14) for the construction of a 19.5 acre, 8 foot deep lake to be used for water skiing practice and possible future tournaments, said parcel being known as SCTM 0600-80-2-2.1, and

WHEREAS, a Full Environmental Assessment Form and supporting documentation have been submitted in connection with the petition's review, and

WHEREAS, the Riverhead Planning Department has reviewed the submission and recommended the petition be considered a Type I action pursuant to 617.4(b)(3) & (6)(i) for which coordinated SEQR review is mandated, and

WHEREAS, that review was undertaken with the New York State Department of Environmental Conservation which has indicated its agreement to the Town of Riverhead's role as lead agency, and

WHEREAS, the Planning Department, by preparation and evaluation of its SEQR staff report, has further recommended the action will not have a significant environmental impact given the project's size and scope and in consideration of the exercise of due diligence of involved agencies under existing statutory authority, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declare itself to be the lead agency in the zone change and special permit petitions of Island Water Park, Inc., and

BE IT FURTHER

THE VOTE

Cardinale Yes No Kent Yes No
Kwasna Yes No Lull Yes No
Vilella Yes No

THE RESOLUTION WAS X WAS NOT
THEREUPON DULY DECLARED ADOPTED

RESOLVED, that the applications be considered to be a Type I action which will not have a significant environmental impact and that a Draft Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that this determination is solely on the use of the site for practice as described in the project documentation and that the operation of tournaments shall require the further approval of the Riverhead Town Board under Chapter 90 of the Town Code (Shows & Exhibitions Ordinance) including attendant SEQR review, and

BE IT FURTHER

RESOLVED, that this classification determination be considered to include the related site plan approval, and

BE IT FURTHER

RESOLVED, that the Riverhead Planning Department be directed to publish and post those notices required by 6NYCRR Part 617, and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department, the applicant or his agent and to forward both the zone change and special permit petitions to the Riverhead Planning Board for their review and recommendation.

December 15, 1998

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1109

DECLARES LEAD AGENCY AND DETERMINES SIGNIFICANCE OF ACTION, ZONE CHANGE OF NORTHROP GRUMMAN CORPORATION

Councilman Cardinale offered the following resolution, which was seconded by Councilman Kent:

WHEREAS, the Riverhead Town Board is in receipt of a zone change application from council to Northrop Grumman Corporation to change the prevailing zoning of a 19.1768 acre parcel of land from the Defense Institutional District to the Industrial 'A' District, and

WHEREAS, this petition is made to improve the parcel's marketability in that the current zoning is specific to the now closed Naval Weapons Industrial Reserve Plant and precludes adaptive re-use of the site's approximately 127,000 square feet of existing facilities, and

WHEREAS, an EAF was submitted with the petition the review of which initially suggested the project to be Unlisted and which led to an optional coordinated review with the Central Pine Barrens Commission who expressed no lead agency interest and may not be involved with the change of zone but only the actual site development, and

WHEREAS, the Riverhead Planning Department believes the petition could be considered Type I pursuant to 617.4(b)(10) but notes that coordination mandated by that classification has taken place notwithstanding the apparent lack of involvement of other agencies, and

WHEREAS, the Riverhead Planning Department, by preparation and evaluation of its SEQR staff report, has recommended that the action will not have a significant environmental impact given the opportunity by all involved agencies to thoroughly review the impacts of any actual reuse of the property and also to limit the potential of those impacts to a level similar to that which existed from the prior use by constricting the zone change to only the developed portion of the property (i.e. the northernmost 500 feet off the frontage on Swan Pond Road), now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declare itself to be the lead agency in the zone change petition of Northrop Grumman Corporation, and

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

BE IT FURTHER

RESOLVED, that the application be considered to be a Type I action which will not have a significant effect upon the environment in consideration of the conclusions of the Planning Department SEQR report and that a Draft Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Riverhead Planning Department be directed to publish those notices as required by 6NYCRR Part 617.12, and

BE IT FURTHER

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

Adopted

December 15, 1998

TOWN OF RIVERHEAD

Resolution # 1110

EXTENDS SPECIAL PERMIT APPROVAL OF WILLIAM HUBBARD

COUNCILMAN KENT offered the following resolution which

as seconded by COUNCILMAN LULL

WHEREAS, by resolution #312 of 1989, the Riverhead Town Board did approve the special permit petition of William Hubbard to allow the construction of an undetermined number of condominium units and related facilities on real property located at County Route 105, Riverhead, such real property more particularly described as Suffolk County Tax Map Parcel number 0600-112-1-6.1, and

WHEREAS, by resolution number 686 of 1989, the special permit approval was modified to set forth a project yield of 296 condominium units consisting of 104 one bedroom units of 900 square feet, 96 two bedroom units of 1,100 square feet and 96 two bedroom units of 1,300 square feet, and

WHEREAS, by resolution #1070 of 1997, the Riverhead Town Board did reaffirm the special permit for a period of one (1) year from the date of such resolution (December 16, 1997), now

THEREFORE, BE IT

RESOLVED, that the Town Board hereby extends the special permit of William Hubbard for a period of sixty (60) days from the date of this resolution, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution shall be forwarded to Allen M. [Name], as agent for William Hubbard, the Riverhead Planning Board and the Riverhead Planning 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

Tabled

December 15, 1998

Withdrawn
12/29/98

TOWN OF RIVERHEAD

Resolution # 1111

RESCINDS RESOLUTION #152 OF 1998

Councilman Lull offered the following resolution, which was
seconded by Councilman Cardinale :

WHEREAS, by resolution #152, dated March 3, 1998, the Town Board of the Town of Riverhead did approve a temporary sign permit for Riverhead Centre, LLC; and

WHEREAS, the parcel on which said temporary sign is located is otherwise vacant, and is the subject of ongoing litigation, bringing into question the construction of the project; and

WHEREAS, Section 108-56 of the Code of the Town of Riverhead stipulates that every sign permitted within the Town must relate to an existing, ongoing business;

NOW, THEREFORE, BE IT

RESOLVED, that Town Board resolution #152 of 1998 be and is hereby rescinded; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Wedel Sign Co., Inc., 705 West Main Street, Riverhead NY 11901, and the Riverhead Building Department.

COUNCILMAN KENT OFFERED THIS RESOLUTION TO BE WITHDRAWN, COUNCILMAN LULL SECONDED THE MOTION.

IN FAVOR TO WITHDRAW THE RESOLUTION.

THE VOTE

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

Tabled

Withdrawn 12/29/98

December 15, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 1112

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR PART TIME ASSISTANT TOWN ATTORNEY

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

RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the December 24, 1998 issue of The News Review;

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

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the position of Part Time Assistant Town Attorney. Applicants must be duly licensed to practice law in the State of New York. Applications are to be submitted to the Town Attorney's Office, 200 Howell Avenue, Riverhead, NY, between the hours of 8:30 am and 4:30 p.m., Monday through Friday. No applications will be accepted after 4:00 p.m. on January 7, 1999. The Town of Riverhead does not discriminate on the basis of age, race, color, national origin, sex or handicapped status in the employment or provision of services.

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

12/15/98

Adopted

TOWN OF RIVERHEAD

Resolution # 1113

ACCEPTS RESIGNATION OF
SEAN MCGAHY

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

WHEREAS, Sean McGahy has resigned from his employment with the Town of Riverhead as Maintenance Mechanic III in the Street Lighting Department effective November 20, 1998.

NOW, THEREFORE, BE IT RESOLVED, effective November 20, 1998, the Town Board hereby accepts the resignation of Sean McGahy; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resignation to Sean McGahy, the Street Lighting 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

TOWN OF RIVERHEAD

Resolution # 1114

APPOINTS PROVISIONAL ACCOUNT CLERK TYPIST
IN THE ACCOUNTING OFFICE

Councilman Lull offered the following
resolution, which was seconded by Councilman Cardinale

WHEREAS, due to the resignation of an employee in the Accounting Office the position of Account Clerk Typist now exists.

WHEREAS, the Suffolk County Civil Service Department has notified the Town of Riverhead that Account Clerk Typist List #98A-409 has been exhausted, and thereby the Department has approved a provisional appointment; and

WHEREAS, the position was duly posted, applicants have been interviewed and a recommendation was made to the Town Board Personnel Committee; and

NOW, THEREFORE, BE IT RESOLVED, that effective December 21, 1998, the Town Board hereby appoints Jennifer Seebeck to the provisional position of Account Clerk Typist on Group 9 Step P of the Clerical and Supervisory Salary Structure of the CSEA Contract; and

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

12/15/98

Tabled

Adopted

12/29/98

TOWN OF RIVERHEAD

Resolution # 1115

PROMOTES MAINTENANCE MECHANIC II IN THE SEWER DEPARTMENT TO THE POSITION OF MAINTENANCE MECHANIC III

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

Tabled Adopted

WHEREAS, the position of Maintenance Mechanic III exists in the Sewer Department, and

WHEREAS, the position was posted, applications were received, interviews conducted, and

WHEREAS, a recommendation was forwarded by the Sewer Department Head to the Town Board Personnel Committee to promote Michael Lech to the position of Maintenance Mechanic III.

NOW, THEREFORE, BE IT RESOLVED, that effective December 20, 1998, the Town Board hereby promotes Michael Lech to the position of Maintenance Mechanic III, Group 8 Step 6 of the Operational and Technical Salary Schedule of the Civil Service Employees Association Contract; and

BE IT FURTHER, RESOLVED, that this position is subject to the following conditions:

1. His application must be approved by the Suffolk County Department of Civil Service.
2. Presentation to personnel department of his clean, valid, commercial drivers license.

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

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE BROUGHT OFF TABLE, WHICH WAS SECONDED BY COUNCILMAN LULL.

COUNCILMAN KENT OFFERED THE RESOLUTION FOR ACTION, WHICH WAS SECONDED BY COUNCILMAN L.

IN FAVOR, THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY ADOPTED ON 12.29/98.

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

Tabled Adopted

12/29/98

Adopted

December 15, 1998

TOWN OF RIVERHEAD

Resolution # 1116

EDWARDS AVENUE ROAD IMPROVEMENT

CAPITAL PROJECT

BUDGET ADJUSTMENT

d

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

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

406.095731.494200.45019 SERIAL BOND PROCEEDS

SOURCE:
\$330,000.

406.051100.523030.45015	CONSTRUCTION EXP	\$230,000.
406.051100.543502.45019	ENGINEERING EXP	37,000.
406.051100.521000.45019	LAND ACQUISITION	30,000.
406.051100.547900.45019	CONTINGENCY	33,000.

USE:

THE VOTE

Cardinale Yes No Kent Yes No
 Kwasna Yes No Lull Yes No
 Vitella Yes No

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

Adopted

Tabled

PLEASE SEE NEXT PAGE FOR ADOPTION.

12/15/98

TOWN OF RIVERHEAD

Resolution # 1117

Adopted

PROMOTES HEAVY EQUIPMENT OPERATOR IN HIGHWAY DEPARTMENT TO THE POSITION OF CONSTRUCTION EQUIPMENT OPERATOR

Councilman Lull offered the following
resolution, which was seconded by Councilman Caridnale

WHEREAS, the position of Construction Equipment Operator exists in the Highway Department, and

WHEREAS, the position was posted, applications were submitted, interviews were conducted and,

WHEREAS, a recommendation was forwarded by the Highway Department Head to the Town Board Personnel Committee to promote William Czech to the position of Construction Equipment Operator.

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 1999, the Town Board hereby promotes William Czech to the position of Construction Equipment Operator, Group 9 Step 7 of the Operational and Technical Salary Schedule of the Civil Service Employees Association Contract; and

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

COUNCILMAN LULL OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN CARDINALE. ALL IN FAVOR TO BE BROUGHT OFF THE TABLE. THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY BROUGHT OFF THE TABLE.

COUNCILMAN LULL OFFERED THE RESOLUTION TO BE ADOPTED AS AMENDED, WHICH WAS SECONDED BY COUNCILMAN CARDINALE. ALL IN FAVOR. THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED AS AMENDED.

PLEASE SEE FOLLOWING RESOLUTION WITH AMENDMENT.

THE VOTE

✓	Yes	No	Kent	✓	Yes	No
	<i>absent</i>					
	Yes	No	Lull		Yes	No
			Vilella	✓	Yes	No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ~~ADOPTED~~

Tabled

Adopted

12/29/98

TOWN OF RIVERHEAD

Resolution # 1117

**PROMOTES HEAVY EQUIPMENT OPERATOR IN HIGHWAY DEPARTMENT
TO THE POSITION OF CONSTRUCTION EQUIPMENT OPERATOR**

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

WHEREAS, the position of Construction Equipment Operator exists in the Highway Department, and

WHEREAS, the position was posted, applications were submitted, interviews were conducted and,

WHEREAS, a recommendation was forwarded by the Highway Department Head to the Town Board Personnel Committee to promote William Czech to the position of Construction Equipment Operator.

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 1999, the Town Board hereby promotes William Czech to the position of Construction Equipment Operator, Group 9 Step 8 of the Operational and Technical Salary Schedule of the Civil Service Employees Association Contract; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to William Czech, the Highway 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

Tabled

PLEASE SEE NEXT PAGE

12/15/98

TOWN OF RIVERHEAD

Resolution # 1118

PROMOTES HEAVY EQUIPMENT OPERATOR IN HIGHWAY DEPARTMENT TO THE POSITION OF CONSTRUCTION EQUIPMENT OPERATOR

Councilman Cardinale _____ offered the following

resolution, which was seconded by Councilman Kent _____

WHEREAS, the position of Construction Equipment Operator exists in the Highway Department, and

WHEREAS, the position was posted, applications were submitted, interviews were conducted and,

WHEREAS, a recommendation was forwarded by the Highway Department Head to the Town Board Personnel Committee to promote Donald Owen to the position of Construction Equipment Operator.

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 1999, the Town Board hereby promotes Donald Owen to the position of Construction Equipment Operator, Group 9 Step 7 of the Operational and Technical Salary Schedule of the Civil Service Employees Association Contract; and

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

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN LULL. ALL IN FAVOR, RESOLUTION WAS THEREUPON DECLARED TO BE BROUGHT OFF THE TABLE.

COUNCILMAN CARDINALE OFFERED THE RESOLUTION WITH AMENDMENT, WHICH WAS SECONDED BY COUNCILMAN KENT. ALL IN FAVOR. THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED AS AMENDED.

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

PLEASE SEE NEXT PAGE.

Tabled

Adopted

12/29/98

TOWN OF RIVERHEAD

Resolution # 1118

PROMOTES HEAVY EQUIPMENT OPERATOR IN HIGHWAY DEPARTMENT TO THE POSITION OF CONSTRUCTION EQUIPMENT OPERATOR

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

WHEREAS, the position of Construction Equipment Operator exists in the Highway Department, and

WHEREAS, the position was posted, applications were submitted, interviews were conducted and,

WHEREAS, a recommendation was forwarded by the Highway Department Head to the Town Board Personnel Committee to promote Donald Owen to the position of Construction Equipment Operator.

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 1999, the Town Board hereby promotes Donald Owen to the position of Construction Equipment Operator, Group 9 Step 8 of the Operational and Technical Salary Schedule of the Civil Service Employees Association Contract; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Donald Owen, the Highway 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

12/15/98 **Tabled**

PLEASE SEE NEXT PAGE.

TOWN OF RIVERHEAD

Resolution # 1119

PROMOTES HEAVY EQUIPMENT OPERATOR IN HIGHWAY DEPARTMENT TO THE POSITION OF CONSTRUCTION EQUIPMENT OPERATOR

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

WHEREAS, the position of Construction Equipment Operator exists in the Highway Department, and

WHEREAS, the position was posted, applications were submitted, interviews were conducted and,

WHEREAS, a recommendation was forwarded by the Highway Department Head to the Town Board Personnel Committee to promote Mark Gajowski to the position of Construction Equipment Operator.

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 1999, the Town Board hereby promotes Mark Gajowski to the position of Construction Equipment Operator, Group 9 Step 8 of the Operational and Technical Salary Schedule of the Civil Service Employees Association Contract; and

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

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN LULL.

ALL IN FAVOR, THE RESOLUTION WAS THEREUPON DECLARED TO BE BROUGHT OFF THE TABLE.

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE AMENDED, WHICH WAS SECONDED BY COUNCILMAN LULL. ALL IN FAVOR. THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY ADOPTED.

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**

Tabled

12/29/98

TOWN OF RIVERHEAD

Adopted

Resolution # 1119

**PROMOTES HEAVY EQUIPMENT OPERATOR IN HIGHWAY DEPARTMENT
TO THE POSITION OF CONSTRUCTION EQUIPMENT OPERATOR**

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

WHEREAS, the position of Construction Equipment Operator exists in the Highway Department, and

WHEREAS, the position was posted, applications were submitted, interviews were conducted and,

WHEREAS, a recommendation was forwarded by the Highway Department Head to the Town Board Personnel Committee to promote Mark Gajowski to the position of Construction Equipment Operator.

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 1999, the Town Board hereby promotes Mark Gajowski to the position of Construction Equipment Operator, Group 9 Step 8 of the Operational and Technical Salary Schedule of the Civil Service Employees Association Contract; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Mark Gajowski, the Highway 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

Adopted

12/15/98

TOWN OF RIVERHEAD

Resolution # 1120

PROMOTES AUTOMOTIVE EQUIPMENT OPERATOR IN HIGHWAY DEPARTMENT TO THE POSITION OF HEAVY EQUIPMENT OPERATOR

Councilman Lull offered the following resolution, which was seconded by Councilman Cardinale

WHEREAS, the position of Heavy Equipment Operator exists in the Highway Department, and

WHEREAS, the position was posted, applications were submitted, interviews were conducted and,

WHEREAS, a recommendation was forwarded by the Highway Department Head to the Town Board Personnel Committee to promote Walter O'Kula to the position of Heavy Equipment Operator.

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 1999, the Town Board hereby promotes Walter O'Kula to the position of Heavy Equipment Operator, Group 7 Step 14 of the Operational and Technical Salary Schedule of the Civil Service Employees Association Contract; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Walter O'Kula, the Highway 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

12/15/98

Adopted

TOWN OF RIVERHEAD

Resolution # 1121

PROMOTES AUTOMOTIVE EQUIPMENT OPERATOR IN HIGHWAY DEPARTMENT TO THE POSITION OF HEAVY EQUIPMENT OPERATOR

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

WHEREAS, the position of Heavy Equipment Operator exists in the Highway Department, and

WHEREAS, the position was posted, applications were submitted, interviews were conducted, and

WHEREAS, a recommendation was forwarded by the Highway Department Head to the Town Board Personnel Committee to promote Edward Reeve to the position of Heavy Equipment Operator.

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 1999, the Town Board hereby promotes Edward Reeve to the position of Heavy Equipment Operator, Group 7 Step 7 of the Operational and Technical Salary Schedule of the Civil Service Employees Association Contract; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Edward Reeve, the Highway 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

12/15/98

Adopted

TOWN OF RIVERHEAD

Resolution # 1122

PROMOTES AUTOMOTIVE EQUIPMENT OPERATOR IN HIGHWAY DEPARTMENT TO THE POSITION OF HEAVY EQUIPMENT OPERATOR

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

WHEREAS, the position of Heavy Equipment Operator exists in the Highway Department, and

WHEREAS, the position was posted, applications were submitted, interviews were conducted, and

WHEREAS, a recommendation was forwarded by the Highway Department Head to the Town Board Personnel Committee to promote John Schwarz to the position of Heavy Equipment Operator.

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 1999, the Town Board hereby promotes John Schwarz to the position of Heavy Equipment Operator, Group 7 Step 6 of the Operational and Technical Salary Schedule of the Civil Service Employees Association Contract; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to John Schwarz, the Highway 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

DECEMBER 15, 1998

Adopted
Adopted

TOWN OF RIVERHEAD
RESOLUTION # 1123

EXTENDS BID FOR WORK CLOTHES

Councilman Lull offered the following resolution, which was seconded by Councilman Cardinale:

Whereas, the Purchasing Department has requested the bid with **Woods, Men & Boys Wear** originally awarded under Resolution #568 adopted July 1, 1997, be extended until December 31, 1999 and;

Whereas, the above named vendor has agreed to extend the contract until December 31, 1999; and

Whereas, the Town Board has reviewed said request.

Now, therefore, be it

Resolved, that the contract for **Work Clothes** be, and hereby is, extended to December 31, 1999; and

Resolved, that the Town Clerk be, and hereby is, directed to forward a Certified Copy of this Resolution to Woods, Men & Boys Wear, the Purchasing Department and the Accounting 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

Adopted

RESOLUTION # 1124

AWARDS BID
FOR
BUILDINGS MATERIALS

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

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for Building Materials; and

WHEREAS, two (2) bids were received, opened and read aloud on the 7th day of December, 1998, at 11:00 a.m. at the Office of the Town Clerk, Riverhead Town hall, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for building materials be and is hereby awarded to Riverhead Building Supply; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead Building Supply, 1093 Pulaski Street, Riverhead, New York 11901, the Engineering 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

TOWN OF RIVERHEAD

RESOLUTION # 1125

AWARDS BID FOR DUMP TRUCK

Adopted: December 15, 1998

Councilman Cardinale 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 GMC Dump Truck; and

WHEREAS, one (1) bid was received, opened and read aloud on the 14th day of December, 1998.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the GMC Dump Truck be and is hereby awarded to Dyer Motors in the amount of \$29,496.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Dyer Motors, 500 County Road 104, Riverhead, NY 11901, the Engineering 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"/> <i>absent</i>	<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

December 15, 1998

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1126

SWEEZY'S DEVELOPMENT PROJECT

BUDGET ADJUSTMENT

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

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

406.092705.421050.40090 DEVELOPER FEES

FROM:
\$89,000.

406.019400.521000.40090 LAND ACQUISITION

TO:
\$89,000.

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

December 15, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 1127

SEWER DISTRICT

BUDGET ADJUSTMENT

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

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

114.000000.390599 APPROPRIATED FUND BALANCE
114.081300.546203 PLANT ELECTRICITY & GAS

FROM:
\$10,000.
6,000.

114.081300.541416 REPLACEMENT & IMPROVEMENTS
114.081300.543320 LEGAL EXPENSE
114.081300.541416 REPLACEMENT & IMPROVEMENTS
114.081300.542503 CHLORINE & CHEMICALS

TO:
\$5,000.
5,000.
3,000.
3,000.

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

December 15, 1998

Adopted

TOWN OF RIVERHEAD

WATER DISTRICT
BUDGET ADJUSTMENT

RESOLUTION # 1128

Councilman Lull 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
112.083200.543000	PROFESSIONAL SERVICES
112.083200.546100	TELEPHONE EXPENSES
112.083200.546000	POWER AND LIGHTS

FROM:
33,200.

TO:
10,000.
3,200.
20,000.

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

December 15, 1998

Adopted

TOWN OF RIVERHEAD

SENIOR CITIZEN DAY CARE CENTER FUND
BUDGET ADJUSTMENT

RESOLUTION # 1129

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:

027.000000.390599 APPROPRIATED FUND BALANCE

FROM:
\$31,300.

027.067720.511500 PERSONAL SERVICES
027.090300.582500 NON UNIFORM, FICA

TO:
\$28,500.
2,800.

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

DECEMBER 15, 1998

TOWN OF RIVERHEAD

Resolution # 1130

GENERAL FUND
BUDGET ADJUSTMENT

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

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

	FROM:		TO:
001.000000.390599	\$215,555.	APPROPRIATED FUND BALANCE	
001.011100.542100		JUSTICE, MISC SUPPLIES	\$750.
001.010100.543301		TOWN BOARD, LITIGATION & RECORDING	50,000.
001.012200.549000		SUPERVISOR, MISC EXP.	1,080.
001.013100.543900		FINANCE, CONSULTANTS	15,000.
001.013100.524000		FINANCE, EQUIPMENT	2,100.
001.013100.549000		FINANCE, MISC EXP	530.
001.013200.543100		AUDITOR, CONTRACTUAL EXP	1,500.
001.019400.521000		PURCHASE OF LAND	5,000.
001.031200.511500		POLICE, NON UNIFORM BASE	35,000.
001.031200.513500		POLICE, LONGEVITY	500.
001.031200.542404		POLICE, UNIFORM CLEANING EXP	3,150.
001.031200.545260		POLICE, CELL PHONE EXP	1,950.
001.031200.546100		POLICE, TELEPHONE, 727-4500	1,700.
001.031220.512100		BAY CONSTABLE, OVERTIME	1,500.
001.031255.524201		YOUTH COURT, PERSONAL SERVICES	3,000.
001.035100.543400		DOG CONTROL, EDUCATION	850.
001.036200.541500		SAFETY INSPECTION, CAR EXP	3,000.
001.036200.511500		SAFETY INSPECTION, PERSONAL SERVICES	20,000.
001.036200.542100		SAFETY INSPECTION, OFFICE SUPPLIES	500.
001.045400.542100		AMBULANCE, OFFICE SUPPLIES	120.
001.045400.542400		AMBULANCE, UNIFORMS	700.
001.045400.546101		AMBULANCE, TELEPHONE	300.
001.067720.524000		NUTRITION, EQUIPMENT	31,300.
001.067720.511510		NUTRITION, PERSONAL SERVICES	18,000.
001.067720.541500		NUTRITION, BUS OPERATIONS EXP	2,500.
001.070200.546100		RECREATION, TELEPHONE	1,015.
001.070200.542104		RECREATION, SUPPLIES	700.
001.071100.518607		PARKS, SEASONAL EMPLOYEES	125.
001.086860.524000		COMM. DEVEL., EQUIPMENT	250.
001.013550.542100		ASSESSMENT, OFFICE SUPPLIES	350.
001.014100.549000		TOWN CLERK, MISC EXP	400.
001.014100.541400		TOWN CLERK, REPAIRS	525.
001.014200.542100		TOWN ATTORNEY, OFFICE SUPPLIES	400.

DECEMBER 15, 1998

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TOWN OF RIVERHEAD

Resolution # 1130

GENERAL FUND
BUDGET ADJUSTMENT

001.080200.513500	PLANNING DEPT., LONGEVITY	500.
001.080200.542100	PLANNING DEPT., OFFICE AND TRAVEL	1,100.
001.090300.582500	SOCIAL SECURITY, NON UNIFORM	10,000.
001.071800.546000	BEACHES, UTILITIES	100.
001.079890.546000	TEEN CENTER, UTILITIES	50.
001.042100.542112	CAP, PROGRAM SUPPLIES	10.

THE VOTE

Cardinale Yes No Kent Yes No
 Kwasna Yes No Luff Yes No
 Vilella Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY DECLARED ADOPTED

Adopted

12/15/98

TOWN OF RIVERHEAD

Resolution #1131

APPOINTS TEMPORARY MINI BUS DRIVER
FOR 90 DAYS

COUNCILMAN CARDINALE offered the following resolution, was seconded by

COUNCILMAN KENT.

WHEREAS, due to a serious illness of an Employee in the Senior's Department the position of Mini Bus Driver temporarily exists; and

WHEREAS, the employee will not be returning to work in the time frame expected; therefore, we now need to appoint Kathleen Long for a term of 90 days.

NOW, THEREFORE, BE IT RESOLVED, that effective immediately Kathleen Long is appointed for 90 days, beginning December 16, 1998, at the hourly rate of \$9.75 and

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby authorized to forward a copy of this Resolution to Kathleen Long, the Office of Nutrition, 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 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

DECEMBER 15, 1998

TOWN OF RIVERHEAD

Adopted

Resolution # 1132

REEVE FARM LAND PRESERVATION

CAPITAL PROJECT

BUDGET ADOPTION

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

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

406.019400.494200.42002 SERIAL BOND PROCEEDS
406.019400.492000.42002 NYS AID

SOURCE:
179,400.
435,600.

406.019400.521000.42002 ACQUISITION
406.019400.543000.42002 PROFESSIONAL FEES

USE:
\$595,000.
20,000.

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

DECEMBER 15, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 1133

WARNER FARM PRESERVATION

CAPITAL PROJECT

BUDGET ADOPTION

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

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

406.019400.494200.42001 SERIAL BOND PROCEEDS

SOURCE:
\$320,000.

406.019400.521000.42001
406.019400.543000.42001

ACQUISITION
PROFESSIONAL FEES

USE:
\$300,000.
20,000.

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

DECEMBER 15, 1998

Adopted

TOWN OF RIVERHEAD

REFUSE & GARBAGE DISTRICT
BUDGET ADJUSTMENT

RESOLUTION # 1134

Councilman Lull 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:

	FROM:	TO:
115.000000.390599 APPROPRIATED FUND BALANCE	83,600.	
115.081600.511500 PERSONAL SERVICES		10,000.
115.081600.546100 TELEPHONE EXP		2,000.
115.081600.547510 DEC STIPULATION EXP		15,100.
115.081600.549000 MISC EXP		7,000.
115.090300.582500 SOCIAL SECURITY		500.
115.090600.584500 HOSPITALIZATION		15,000.
115.099010.595001 TRANSFER TO GENERAL FUND		34,000.

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

12/15/98

RESOLUTION 1135
TOWN OF RIVERHEAD

RESOLUTION CALLING PUBLIC HEARING
AMENDMENT TO CHAPTER 88 OF THE RIVERHEAD TOWN CODE
SECTION 88-7(C)

Adopted _____

_____Councilman Kent_____ offered the following
resolution which was seconded by _____Councilman Lull_____ ,

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice of Public Hearing with regard to amending Chapter 88 of The Riverhead Town Code, specifically Section 88-7(C):

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held on the 5th day of January, 1999, at 7:15 o'clock p.m. at 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending Chapter 88 of The Riverhead Town Code, specifically Section 88-7(C), as follows:

C. For each permit issued covering the installation of a house drain, a fee of ~~ten dollars (\$10)~~ as set by resolution of the Town Board shall be paid to the Sewer District and placed in the Sewer District accounts, to be used to defray the cost of ~~inspection and tests~~ review. In addition thereto, a fee as set by resolution of the Town Board shall be paid to the Sewer District for inspection.

*-----denotes deletion
underline denotes addition

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

Dated: December 15, 1998

and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Frank Isler, Esq., Michael Reichel, and the Accounting Department.

EMBER 15, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 1136

JOINT SCAVENGER WASTE DISTRICT

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:

918.000000.390599 APPROPRIATED FUND BALANCE

FROM:
\$92,600.

918.081890.595001 TRANSFER TO GENERAL FUND
918.081890.511500 PERSONAL SERVICES
918.081890.513500 LONGEVITY

TO:
\$41,100.
50,000.
1,500.

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

RESOLUTION
HEREUPON

CEMBER 15, 1998

Adopted

TOWN OF RIVERHEAD
MUNICIPAL GARAGE FUND
BUDGET ADJUSTMENT

RESOLUTION # 1137

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

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

626.016900.540000 CONTRACTUAL EXP	FROM: 5,000.	
626.016900.512500 OVERTIME		TO: 5,000.

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

DECEMBER 15, 1998

Adopted

TOWN OF RIVERHEAD

GENERAL FUND DEBT SERVICE
BUDGET ADJUSTMENT

RESOLUTION # 1138

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

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

	FROM:	TO:
384.000000.390599.00000	APPROPRIATED FUND BALANCE	5,310.
384.097100.570000.04015	TOWN DRAINAGE INTEREST	190.
384.097100.570000.04100	EMPIRE STATE INTEREST	4,450.
384.097100.571000.04010	PAYING AGENT FEES	20.
384.097300.571000.04011	PAYING AGENT FEES	20.
384.097100.571000.04012	PAYING AGENT FEES	20.
384.097100.570000.04014	PAYING AGENT FEES	20.
384.097100.570000.04016	PAYING AGENT FEES	5.
384.097100.570000.04017	PAYING AGENT FEES	20.
384.097100.571000.04018	PAYING AGENT FEES	20.
384.097100.571000.04023	PAYING AGENT FEES	15.
384.097100.571000.04025	PAYING AGENT FEES	160.
384.097100.571000.04036	PAYING AGENT FEES	10.
384.097100.571000.04045	PAYING AGENT FEES	100.
384.097100.571000.04085	PAYING AGENT FEES	50.
384.097100.571000.04086	PAYING AGENT FEES	210.

THE VOTE

THE VOTE

Cardinale Yes No Kent Yes No

Kwasna Yes No Lull Yes No

Vitella Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

CEMBER 15, 1998

Adopted

TOWN OF RIVERHEAD

WATER DISTRICT DEBT SERVICE
BUDGET ADJUSTMENT

RESOLUTION # 1139

Councilman Lull 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:

383.000000.390599.00000	APPROPRIATED FUND BALANCE	FROM: 1,325.	
			TO:
383.097100.571000.03009	PAYING AGENT FEES		250.
383.097100.571000.03027	PAYING AGENT FEES		75.
383.097100.571000.03048	PAYING AGENT FEES		50.
383.097300.571000.03047	PAYING AGENT FEES		950.

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

DECEMBER 15, 1998

Adopted

TOWN OF RIVERHEAD

PUBLIC PARKING DEBT SERVICE
BUDGET ADJUSTMENT

RESOLUTION # 1140

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:

381.000000.390599.00000	APPROPRIATED FUND BALANCE	FROM:	350.
381.097100.571000.01040	BONDS & PAYING AGENT FEES	TO:	350.

THE VOTE

Cardinale Yes No Kent Yes No
 Kwasna Yes No Lull Yes No
 Vitella Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY DECLARED ADOPTED

DECEMBER 15, 1998

Adopted

TOWN OF RIVERHEAD

STREET LIGHTING DISTRICT
BUDGET ADJUSTMENT

RESOLUTION # 1141

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

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

116.000000.390599	APPROPRIATED FUND BALANCE	FROM:	1,000.
116.051820.512500	OVERTIME	TO:	1,000.

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

12/15/98

Adopted

TOWN OF RIVERHEAD

Resolution # 1142

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS – RICHARD N. REEVE

Councilman Lull offered the following resolution, which was seconded by Councilman Cardinale:

WHEREAS, the Riverhead Farmland Preservation Committee (“the Committee”) has received an offer for sale of development rights from Richard N. Reeve, respecting 60 acres of real property located north of Sound Avenue, Riverhead, New York, such real property more particularly described as Suffolk County Tax Map number 0600-18-1-7; and

WHEREAS, the Committee has commissioned an appraisal of the value of development rights inherent in the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in the Agricultural Preservation Law and has formally recommended that the Town Board of the Town of Riverhead consider the purchase of development rights from the property; and

WHEREAS, the Town Board has carefully considered the merits of the offer sale of development rights, the report of the Peconic Land Trust, the appraisal of development rights by Given Associates, the report of the Farmland Preservation Committee, the criteria set forth in the agricultural preservation law and all other pertinent planning, zoning and environmental information;

NOW, THEREFORE BE IT

RESOLVED, that the Riverhead Town Board hereby accepts the offer of sale of development rights from the subject real property of Richard N. Reeve, pursuant to Chapter 44, Section 44-5 B(2) of the Code of the Town of Riverhead; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract for purchase of development rights from the subject property in an amount not to exceed eight thousand five hundred dollars (\$8,500.00) per acre; and be it further

COUNCILMAN KENT OFFERED TO AMEND THIS RESOLUTION, WHICH WAS SECONDED BY COUNCILMAN CARDINALE.

The Vote: All in favor of amending, Kwasna Absent.

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

**FARMLAND PURCHASE OF DEVELOPMENT RIGHTS
PURCHASE AND SALE AGREEMENT**

between

RICHARD N. REEVE and V. AVIS REEVE

to

TOWN OF RIVERHEAD

THIS AGREEMENT, made the 16th day of December, 1998 between RICHARD N. REEVE and V. AVIS REEVE, 70 Sound Avenue, Riverhead, New York, 11901, (hereinafter referred to as the "SELLER") and the TOWN OF RIVERHEAD, a municipal corporation of the State of New York having its principal office at 200 Howell Avenue, Riverhead, New York, 11901, (hereinafter referred to as the "PURCHASER").

WITNESSETH:

1. **DESCRIPTION.** The SELLER agrees to sell and convey, and the PURCHASER agrees to purchase the Development Rights, as hereinafter defined, in ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Riverhead, County of Suffolk, and State of New York, more particularly bounded and described as set forth in the description annexed hereto as Schedule "A" hereinafter referred to as the "Property." The area and dimensions of said Property are, however, subject to such changes and modifications consistent with the area and dimensions as shown on a survey (see #11 herein).

2. **DEVELOPMENT RIGHTS DEFINED.** Development Rights as the term is used herein shall mean the permanent legal interest and right to prohibit or restrict the use of the Property for anything other than agricultural production as that term is defined in #301 of the New York Agriculture and Markets Law. The Development Rights to be acquired by the PURCHASER and the rights of the SELLER are further defined and are set forth in the Grant of Development Rights Easement attached hereto as Schedule "B" and made a part of this Agreement. The power and purpose of the PURCHASER is limited to acquiring the Development Rights in lands presently used or suitable for agricultural production, as described in the attached Schedule "B" and PURCHASER reserves the right, upon obtaining a survey and inspecting the premises in relation hereto, to hold an additional public hearing on the acquisition pursuant to §247 of that General Municipal Law and thereafter, either to cancel this Agreement if the premises are not entirely used or suitable for agricultural production or subject to SELLER'S further agreement to accept that portion of the premises which is suitable for agricultural production, as herein defined, in which case the price will be adjusted in proportion to the area deemed suitable using the unit price as herein set forth.

3. **ALIENATION.** Unless authorized by amendment to Chapter 44 of the Code of the Town of Riverhead entitled "Agricultural Lands Preservation Law of the Town of Riverhead", the

development rights acquired by the Town of Riverhead pursuant to this contract, may be alienated exclusively for sale to the County of Suffolk. This provision is intended to serve as a covenant running with the land in perpetuity and the provisions of this paragraph shall survive the delivery of the deed of development rights.

4. The SELLER acknowledges that by the terms of this contract and the declarations in the deed, that it has been informed that neither the SELLER, nor his heirs, successors in interest, successors in title or assignees shall be permitted to remove soil from the property to be covered by these development rights. The representation is intended to also serve as a covenant running forever with the land in perpetuity and the provisions of this paragraph shall survive the delivery of this conveyance.

5. The SELLER covenants and agrees that the underlying fee title retained may not be subdivided into plots by the filing of a subdivision map pursuant to §276 and §277 of the Town law and/or §335 of the Real Property Law. The underlying fee may be divided by conveyance of parts thereof to heirs and next of kin, by will or by operation of law, or with the written recordable consent of the PURCHASER. Subdivision shall also be defined to include the division of the land covered by the development rights into two or more parcels in whole or in part. The provisions of this section shall survive delivery of the instrument of conveyance and shall be considered a covenant running with the land in perpetuity and shall be binding upon the SELLER, its heirs, successors and assigns, and shall inure to the benefit of the PURCHASER and its successors and assigns.

6. The SELLER represents that the premises are agricultural land used for bona fide agricultural production as defined herein. At no time, to the SELLER'S knowledge, has the premises been used for the generation, storage, or disposal of hazardous substances, or as a landfill or other waste disposal site. There are not now, nor have there ever been, underground storage tanks, to the SELLER'S knowledge, on the premises. For the purpose of this contract, the use of farm chemicals, including but limited to, pesticides and fertilizers, which are part of ordinary agricultural operations, shall not be considered hazardous substances.

7. The PURCHASER, at its sole discretion and expense, may obtain an up-to-date environmental audit-site assessment of the premises, performed by a qualified environmental consultant approved by the PURCHASER, certifying the premises to be free of toxic and/or hazardous substance contamination. The environmental audit should include, but not be limited to, an historic search of government files, site reconnaissance, survey of adjacent properties, survey of soil conditions, survey of ground water conditions, identification of any suspected asbestos containing materials, and any other inspections and/or procedures deemed appropriate under current criteria.

8. BARGAIN SALE. SELLER and PURCHASER agree that, pursuant to a qualified appraisal prepared by Patrick Given, Associates and dated June 22, 1998, the fair market value of the development rights is in excess of the agreed upon sale price stated in Paragraph 9 herein. PURCHASER is a tax-exempt organization described under Sections 170(h)(3)(A) and

170(b)(1)(A)(v) of the Internal Revenue Code of 1986, contributions to which are deductible under Section 170(h). The SELLER intends to make a charitable contribution of the difference between the fair market value and the purchase price paid by the PURCHASER, pursuant to Section 1011(b) of the Internal Revenue Code.

9. PURCHASE PRICE. The agreed purchase price is Five Hundred Eighteen Thousand Eight Hundred Eighty Eight and 00/100 (\$518,880.00) Dollars for the 60 acres contemplated to be encumbered under this Agreement, based upon a value of Eight Thousand Five Hundred and 00/100 (\$8,500.00) per acre, and subject to a final survey of the premises (see #11 herein). PURCHASER and SELLER hereby agree that if the final survey shows that the total acreage of the premises is different from the 60 acre figure used by PURCHASER in determining the purchase price of \$518,880.00, the final purchase price will be adjusted at a rate of \$8,500.00 per acre for each additional or subtracted acre or portion thereof.

10. CLOSING DATE/LOCATION. The closing shall take place within ninety (90) days of the execution, by both SELLER and PURCHASER, of this document. The closing shall take place at the office of the Town Attorney, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, or such other location within Suffolk County of PURCHASER'S choice, unless otherwise agreed in writing. The delivery to and acceptance of the Grant of Development Rights Easement by PURCHASER, receipt of a title policy for the premises in form and substance acceptable to PURCHASER, and the disbursement of the purchase price to SELLER shall constitute the "Closing."

11. SURVEY. PURCHASER will have the Property surveyed by a licensed land surveyor, to determine the actual acreage of the area upon which the Development Rights are to be sold. The cost of the survey of the Property shall be born solely by the PURCHASER.

12. FORM OF EASEMENT. The Grant of the Development Rights Easement to be executed by SELLER and delivered to PURCHASER at the closing shall be in the form approved by the Town Attorney, and shall be in substantially the form which is annexed hereto as Schedule "B." The Grant of Development Rights Easement shall be duly executed and acknowledged also as to convey to the PURCHASER the Development Rights of the said premises, free of all liens and encumbrances, except as herein stated, and shall be recorded in the Office of the Suffolk County Clerk. PURCHASER shall be responsible for the recording fees in connection with the Grant of Development Rights Easement.

If the SELLER is a corporation, it will deliver to the PURCHASER at the time of the delivery of the Grant of Development Rights Easement hereunder a resolution of its board of directors authorizing the sale and delivery of the Grant of Development Rights Easement, and a certificate by the secretary or assistant secretary of the corporation certifying such resolution and setting forth facts showing that the conveyance is in conformity with the requirements of #909 of the Business Corporation Law. The Grant of Development Rights Easement in such case shall contain a recital sufficient to establish compliance with said section.

13. INSURABLE TITLE. The PURCHASER may make its determination of whether the property is free from all encumbrances, except as set forth in Paragraph #14, on the basis of its own examination of the title, or that of its agents, or a title report of a member company of the New York Board of Title Underwriters having offices in Suffolk County and may require the SELLER to clear title exceptions raised to the satisfaction of the PURCHASER, and if any is involved, the title company. In the event that the SELLER is unable to convey the Grant of Development Rights Easement free from all encumbrances in accordance with the terms of this agreement, then this agreement shall be considered canceled with neither party having any further obligation to the other.

14. ACCEPTABLE ENCUMBRANCES. The SELLER may convey and the PURCHASER may accept the Grant of Development Rights Easement subject to existing covenants and easements of record, and a mortgage of record. In the event the property is to be conveyed subject to a mortgage, SELLER shall include and record with the Grant of Development Rights Easement the written consent of the mortgages. The Grant of Development Rights Easement may also be conveyed subject to the assessment of real property taxes, provided that at the time of closing, all real property taxes are paid in full for the current tax (lien) year with no arrears. All other encumbrances liens, assessments, charges, judgements, estates, taxes and other limitations shall be satisfied on or prior to Closing.

15. USE OF MONEY TO CLEAR TITLE. If at the date of closing there may be any other liens or encumbrances which the SELLER are obligated to pay and discharge, the SELLER may use any portion of the balance of the purchase price to satisfy the same, provided the SELLER shall simultaneously either deliver to the PURCHASER at the closing of title instruments in recordable form and sufficient to satisfy such liens and encumbrances of record together with the cost of recording of filing said instruments. The SELLER also agree to provide duly executed Internal Revenue Service Form W-9 and to sign such property vouchers for the closing check(s) as may be requested by the Town Fiscal Officer at least three (3) weeks prior to the date fixed for closing. The PURCHASER, if request is made within a reasonable time prior to the date of closing title, agrees to provide at the closing separate checks as requested, aggregating the amount of the purchase price, to facilitate the satisfaction of any such liens and encumbrances shall not be deemed objections to title If the SELLER shall comply with the foregoing requirements.

16. AFFIDAVITS AS TO JUDGEMENTS. If a search of the title discloses judgements, bankruptcies or other returns against other persons having names the same or similar to that of the SELLER, the SELLER with, on request, deliver to the PURCHASER an affidavit showing such judgements, bankruptcies or other returns are not against SELLER, if such is the case.

17. PUBLIC DISCLOSURE STATEMENT. The SELLER, simultaneously with the execution and delivery of this Agreement, has also delivered the required verified public disclosure statement for filing with the Town Fiscal Officer. At the time of the closing, the SELLER shall submit a then applicable such statement or a sworn statement that there have been no changes in interest since the date of this Agreement. Any evidence of a conflict of interest or

prohibited contractual relationship shall require approval of the contract and sale by the Supreme Court.

18. BROKER. The parties agree that no broker brought about this sale.

19. ENTIRE AGREEMENT. It is understood and agreed that all understandings and agreements had between the parties hereto are merged in this contract, which, with the exhibits, fully and completely expresses their agreement, and that the same is entered into after full investigation, neither party relying upon any statement or representation, not embodied in this contract, made by the other.

20. MODIFICATION. The Agreement may not be modified, changed or terminated orally. This Agreement may be modified or changed only with the prior written consent of both SELLER and PURCHASER in each instance and any purported modification or change made without such consent shall be void. The stipulations aforesaid are to apply to and bind the heirs, executors, administrators, successors and assigns of the respective parties.

21. NO ASSIGNMENT. This Agreement may not be assigned by SELLER or PURCHASER without the prior written consent of parties in each instance and any purported assignment(s) made without such consent shall be void.

22. MISCELLANEOUS. If two or more persons constitute the SELLER, the word "SELLER" shall be construed as if it read "SELLER" whenever the sense of this Agreement so requires.

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto on the day and year first above written.

RICHARD N. REEVE
Seller

V. AVIS REEVE
Seller

TOWN OF RIVERHEAD

ATTEST: TOWN CLERK

By: _____
VINCENT G. VILLELLA
Town Supervisor

BARBARA GRATTAN
Town Clerk

APPROVED AS TO FORM

ADAM B. GROSSMAN, ESQ.
Town Attorney

December 15, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 1143

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS - RICHARD L. REEVE

Councilman Cardinale offered the following resolution, which was seconded by Councilman Kent:

WHEREAS, the Riverhead Farmland Preservation Committee ("the Committee") has received an offer for sale of development rights from Richard L. Reeve, respecting 6.5 acres of real property located north of Sound Avenue, Riverhead, New York, such real property more particularly described as Suffolk County Tax Map number 0600-18-1-8; and

WHEREAS, the Committee has commissioned an appraisal of the value of development rights inherent in the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in the Agricultural Preservation Law and has formally recommended that the Town Board of the Town of Riverhead consider the purchase of development rights from the property; and

WHEREAS, the Town Board has carefully considered the merits of the offer sale of development rights, the report of the Peconic Land Trust, the appraisal of development rights by Given Associates, the report of the Farmland Preservation Committee, the criteria set forth in the agricultural preservation law and all other pertinent planning, zoning and environmental information;

NOW, THEREFORE BE IT

RESOLVED, that the Riverhead Town Board hereby accepts the offer of sale of development rights from the subject real property of Richard L. Reeve, pursuant to Chapter 44, Section 44-5 B(2) of the Code of the Town of Riverhead; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract for purchase of development rights from the subject property in an amount not to exceed eight thousand five hundred dollars (\$8,500) per acre; and be it further

COUNCILMAN CARDINALE OFFERED TO AMEND THE RESOLUTION, WHICH WAS SECONDED BY COUNCILMAN KENT.

The VOTE: All in favor, Kwasna Absent.

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard L. Reeve, 73 Sound Avenue, Riverhead NY 11901, the Farmland Preservation Committee, the Planning Department, and the Office of the Town Attorney.

ATTEST:
TOWN CLERK

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard L. Reeve, 73 Sound Avenue, Riverhead NY 11901, the Farmland Preservation Committee, the Planning Department, and the Office of the Town Attorney.

RESOLVED

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard L. Reeve, 73 Sound Avenue, Riverhead NY 11901, the Farmland Preservation Committee, the Planning Department, and the Office of the Town Attorney.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard L. Reeve, 73 Sound Avenue, Riverhead NY 11901, the Farmland Preservation Committee, the Planning Department, and the Office of the Town Attorney.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard L. Reeve, 73 Sound Avenue, Riverhead NY 11901, the Farmland Preservation Committee, the Planning Department, and the Office of the Town Attorney.

**FARMLAND PURCHASE OF DEVELOPMENT RIGHTS
PURCHASE AND SALE AGREEMENT**

between

RICHARD L. REEVE

to

TOWN OF RIVERHEAD

THIS AGREEMENT, made the 16th day of December, 1998 between RICHARD L. REEVE, 73 Sound Avenue, Riverhead, New York, 11901, (hereinafter referred to as the "SELLER") and the TOWN OF RIVERHEAD, a municipal corporation of the State of New York having its principal office at 200 Howell Avenue, Riverhead, New York, 11901, (hereinafter referred to as the "PURCHASER").

WITNESSETH:

1. **DESCRIPTION.** The SELLER agrees to sell and convey, and the PURCHASER agrees to purchase the Development Rights, as hereinafter defined, in ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Riverhead, County of Suffolk, and State of New York, more particularly bounded and described as set forth in the description annexed hereto as Schedule "A" hereinafter referred to as the "Property." The area and dimensions of said Property are, however, subject to such changes and modifications consistent with the area and dimensions as shown on a survey (see #11 herein).

2. **DEVELOPMENT RIGHTS DEFINED.** Development Rights as the term is used herein shall mean the permanent legal interest and right to prohibit or restrict the use of the Property for anything other than agricultural production as that term is defined in #301 of the New York Agriculture and Markets Law. The Development Rights to be acquired by the PURCHASER and the rights of the SELLER are further defined and are set forth in the Grant of Development Rights Easement attached hereto as Schedule "B" and made a part of this Agreement. The power and purpose of the PURCHASER is limited to acquiring the Development Rights in lands presently used or suitable for agricultural production, as described in the attached Schedule "B" and PURCHASER reserves the right, upon obtaining a survey and inspecting the premises in relation hereto, to hold an additional public hearing on the acquisition pursuant to §247 of that General Municipal Law and thereafter, either to cancel this Agreement if the premises are not entirely used or suitable for agricultural production or subject to SELLER'S further agreement to accept that portion of the premises which is suitable for agricultural production, as herein defined, in which case the price will be adjusted in proportion to the area deemed suitable using the unit price as herein set forth.

3. **ALIENATION.** Unless authorized by amendment to Chapter 44 of the Code of the Town of Riverhead entitled "Agricultural Lands Preservation Law of the Town of Riverhead", the

development rights acquired by the Town of Riverhead pursuant to this contract, may be alienated exclusively for sale to the County of Suffolk. This provision is intended to serve as a covenant running with the land in perpetuity and the provisions of this paragraph shall survive the delivery of the deed of development rights.

4. The SELLER acknowledges that by the terms of this contract and the declarations in the deed, that it has been informed that neither the SELLER, nor his heirs, successors in interest, successors in title or assignees shall be permitted to remove soil from the property to be covered by these development rights. The representation is intended to also serve as a covenant running forever with the land in perpetuity and the provisions of this paragraph shall survive the delivery of this conveyance.

5. The SELLER covenants and agrees that the underlying fee title retained may not be subdivided into plots by the filing of a subdivision map pursuant to §276 and §277 of the Town law and/or §335 of the Real Property Law. The underlying fee may be divided by conveyance of parts thereof to heirs and next of kin, by will or by operation of law, or with the written recordable consent of the PURCHASER. Subdivision shall also be defined to include the division of the land covered by the development rights into two or more parcels in whole or in part. The provisions of this section shall survive delivery of the instrument of conveyance and shall be considered a covenant running with the land in perpetuity and shall be binding upon the SELLER, its heirs, successors and assigns, and shall inure to the benefit of the PURCHASER and its successors and assigns.

6. The SELLER represents that the premises are agricultural land used for bona fide agricultural production as defined herein. At no time, to the SELLER'S knowledge, has the premises been used for the generation, storage, or disposal of hazardous substances, or as a landfill or other waste disposal site. There are not now, nor have there ever been, underground storage tanks, to the SELLER'S knowledge, on the premises. For the purpose of this contract, the use of farm chemicals, including but limited to, pesticides and fertilizers, which are part of ordinary agricultural operations, shall not be considered hazardous substances.

7. The PURCHASER, at its sole discretion and expense, may obtain an up-to-date environmental audit-site assessment of the premises, performed by a qualified environmental consultant approved by the PURCHASER, certifying the premises to be free of toxic and/or hazardous substance contamination. The environmental audit should include, but not be limited to, an historic search of government files, site reconnaissance, survey of adjacent properties, survey of soil conditions, survey of ground water conditions, identification of any suspected asbestos containing materials, and any other inspections and/or procedures deemed appropriate under current criteria.

8. BARGAIN SALE. SELLER and PURCHASER agree that, pursuant to a qualified appraisal prepared by Patrick Given, Associates and dated October 8, 1998, the fair market value of the development rights is in excess of the agreed upon sale price stated in Paragraph 9 herein. PURCHASER is a tax-exempt organization described under Sections 170(h)(3)(A) and

170(b)(1)(A)(v) of the Internal Revenue Code of 1986, contributions to which are deductible under Section 170(h). The SELLER intends to make a charitable contribution of the difference between the fair market value and the purchase price paid by the PURCHASER, pursuant to Section 1011(b) of the Internal Revenue Code.

9. PURCHASE PRICE. The agreed purchase price is Seventy One Thousand Eight Hundred Fifty Nine and 00/100 (\$71,859.00) Dollars for the 8.454 acres contemplated to be encumbered under this Agreement, based upon a value of Eight Thousand Five Hundred and 00/100 (\$8,500.00) per acre, and subject to a final survey of the premises (see #11 herein). PURCHASER and SELLER hereby agree that if the final survey shows that the total acreage of the premises is different from the 8.454 acre figure used by PURCHASER in determining the purchase price of \$71,859.00, the final purchase price will be adjusted at a rate of \$8,500.00 per acre for each additional or subtracted acre or portion thereof.

10. CLOSING DATE/LOCATION. The closing shall take place within ninety (90) days of the execution, by both SELLER and PURCHASER, of this document. The closing shall take place at the office of the Town Attorney, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, or such other location within Suffolk County of PURCHASER'S choice, unless otherwise agreed in writing. The delivery to and acceptance of the Grant of Development Rights Easement by PURCHASER, receipt of a title policy for the premises in form and substance acceptable to PURCHASER, and the disbursement of the purchase price to SELLER shall constitute the "Closing."

11. SURVEY. PURCHASER will have the Property surveyed by a licensed land surveyor, to determine the actual acreage of the area upon which the Development Rights are to be sold. The cost of the survey of the Property shall be born solely by the PURCHASER.

12. FORM OF EASEMENT. The Grant of the Development Rights Easement to be executed by SELLER and delivered to PURCHASER at the closing shall be in the form approved by the Town Attorney, and shall be in substantially the form which is annexed hereto as Schedule "B." The Grant of Development Rights Easement shall be duly executed and acknowledged also as to convey to the PURCHASER the Development Rights of the said premises, free of all liens and encumbrances, except as herein stated, and shall be recorded in the Office of the Suffolk County Clerk. PURCHASER shall be responsible for the recording fees in connection with the Grant of Development Rights Easement.

If the SELLER is a corporation, it will deliver to the PURCHASER at the time of the delivery of the Grant of Development Rights Easement hereunder a resolution of its board of directors authorizing the sale and delivery of the Grant of Development Rights Easement, and a certificate by the secretary or assistant secretary of the corporation certifying such resolution and setting forth facts showing that the conveyance is in conformity with the requirements of #909 of the Business Corporation Law. The Grant of Development Rights Easement in such case shall contain a recital sufficient to establish compliance with said section.

13. INSURABLE TITLE. The PURCHASER may make its determination of whether the property is free from all encumbrances, except as set forth in Paragraph #14, on the basis of its own examination of the title, or that of its agents, or a title report of a member company of the New York Board of Title Underwriters having offices in Suffolk County and may require the SELLER to clear title exceptions raised to the satisfaction of the PURCHASER, and if any is involved, the title company. In the event that the SELLER is unable to convey the Grant of Development Rights Easement free from all encumbrances in accordance with the terms of this agreement, then this agreement shall be considered canceled with neither party having any further obligation to the other.

14. ACCEPTABLE ENCUMBRANCES. The SELLER may convey and the PURCHASER may accept the Grant of Development Rights Easement subject to existing covenants and easements of record, and a mortgage of record. In the event the property is to be conveyed subject to a mortgage, SELLER shall include and record with the Grant of Development Rights Easement the written consent of the mortgages. The Grant of Development Rights Easement may also be conveyed subject to the assessment of real property taxes, provided that at the time of closing, all real property taxes are paid in full for the current tax (lien) year with no arrears. All other encumbrances liens, assessments, charges, judgements, estates, taxes and other limitations shall be satisfied on or prior to Closing.

15. USE OF MONEY TO CLEAR TITLE. If at the date of closing there may be any other liens or encumbrances which the SELLER are obligated to pay and discharge, the SELLER may use any portion of the balance of the purchase price to satisfy the same, provided the SELLER shall simultaneously either deliver to the PURCHASER at the closing of title instruments in recordable form and sufficient to satisfy such liens and encumbrances of record together with the cost of recording of filing said instruments. The SELLER also agree to provide duly executed Internal Revenue Service Form W-9 and to sign such property vouchers for the closing check(s) as may be requested by the Town Fiscal Officer at least three (3) weeks prior to the date fixed for closing. The PURCHASER, if request is made within a reasonable time prior to the date of closing title, agrees to provide at the closing separate checks as requested, aggregating the amount of the purchase price, to facilitate the satisfaction of any such liens and encumbrances shall not be deemed objections to title If the SELLER shall comply with the foregoing requirements.

16. AFFIDAVITS AS TO JUDGEMENTS. If a search of the title discloses judgements, bankruptcies or other returns against other persons having names the same or similar to that of the SELLER, the SELLER with, on request, deliver to the PURCHASER an affidavit showing such judgements, bankruptcies or other returns are not against SELLER, if such is the case.

17. PUBLIC DISCLOSURE STATEMENT. The SELLER, simultaneously with the execution and delivery of this Agreement, has also delivered the required verified public disclosure statement for filing with the Town Fiscal Officer. At the time of the closing, the SELLER shall submit a then applicable such statement or a sworn statement that there have been no changes in interest since the date of this Agreement. Any evidence of a conflict of interest or

prohibited contractual relationship shall require approval of the contract and sale by the Supreme Court.

18. BROKER. The parties agree that no broker brought about this sale.
19. ENTIRE AGREEMENT. It is understood and agreed that all understandings and agreements had between the parties hereto are merged in this contract, which, with the exhibits, fully and completely expresses their agreement, and that the same is entered into after full investigation, neither party relying upon any statement or representation, not embodied in this contract, made by the other.
20. MODIFICATION. The Agreement may not be modified, changed or terminated orally. This Agreement may be modified or changed only with the prior written consent of both SELLER and PURCHASER in each instance and any purported modification or change made without such consent shall be void. The stipulations aforesaid are to apply to and bind the heirs, executors, administrators, successors and assigns of the respective parties.
21. NO ASSIGNMENT. This Agreement may not be assigned by SELLER or PURCHASER without the prior written consent of parties in each instance and any purported assignment(s) made without such consent shall be void.
22. MISCELLANEOUS. If two or more persons constitute the SELLER, the word "SELLER" shall be construed as if it read "SELLER" whenever the sense of this Agreement so requires.

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto on the day and year first above written.

RICHARD L. REEVE

TOWN OF RIVERHEAD

ATTEST: TOWN CLERK

By: _____
VINCENT G. VILLELLA
Town Supervisor

BARBARA GRATTAN
Town Clerk

APPROVED AS TO FORM

ADAM B. GROSSMAN, ESQ.
Town Attorney

SCHEDULE "A"

ALL that of certain plot, piece or parcel of land situate, lying and being on Sound Avenue, in the Town of Riverhead, County of Suffolk, and State of New York, consisting of the 8.454 acre parcel shown as Suffolk County Tax Map Number 0600-18-1-8.

Tabled

Adopted

12/11/98

TOWN OF RIVERHEAD

Resolution # 1144

EXTENDS CONTRACT WITH ARTHUR J. GALLAGHER & CO

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

BE IT RESOLVED, the insurance program for the calendar year 1999 is awarded to Arthur J. Gallagher & Company of New York.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Arthur J. Gallagher & Co., 2 Gannett Drive, White Plains, NY 10604 and the Office of Accounting.

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN LULL. ALL IN FAVOR. THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY BROUGHT OFF THE TABLE.

COUNCILMAN KENT OFFERED THE RESOLUTION FOR ADOPTION, WHICH WAS SECONDED BY COUNCILMAN LULL.

THE VOTE: Cardinale, Abstain
Kent, Yes
Kwasna, No
Lull, Yes
Villella, Yes

THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY ADOPTED.

THE VOTE
Cardinale Abstain Yes ___ No ___ Kent Yes ___ No ___
Kwasna Yes No ___ Lull Yes ___ No ___
Villella Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

THE VOTE
Cardinale Yes ___ No ___ Kent Yes ___ No ___
Kwasna absent Yes ___ No ___ Lull Yes ___ No ___
Villella Yes ___ No ___

THE RESOLUTION WAS ___ WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

Tabled

Adopted

December 15, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 1145

APPROVES LEAVE OF ABSENCE FOR A POLICE OFFICER

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

WHEREAS, Police Officer Mark F. Roberts is a member of the Department of Air Force, 106th Rescue Wing (ANG) as a SSG; and

WHEREAS, Police Officer Roberts has military orders assigning him to advanced training outside the State of New York; and,

WHEREAS, Police Officer Roberts has made application to the Chief of Police and the Riverhead Town Board for a leave of absence from January 1, 1999 through June 30, 1999.

NOW, THEREFORE, BE IT RESOLVED that the application for the aforementioned leave of absence be approved; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Mark Roberts, the Chief of Police and the Office of Accounting - Payroll Section.

THE VOTE

Cardinale [checked] Yes [] No [] Kent [checked] Yes [] No []
Kwasna [] Yes [checked] No [] Lull [checked] Yes [] No []
Vilella [checked] Yes [] No []
THE RESOLUTION WAS [checked] WAS NOT []
THEREUPON DULY DECLARED ADOPTED

December 15, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 1146

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING - SPECIAL PERMIT OF JOSEPH TOMASHEFSKY

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Joseph Tomashefsky pursuant to Section 108-135 B(6) of the Town Code for the conversion to a 30 seat restaurant an existing 1,134 square foot structure located on a .24 acre parcel zoned Business 'G' and known by Suffolk County Tax Map Number 0600-67-2-23, and

WHEREAS, the Riverhead Town Board by resolution #762 of 1998 deemed said petition 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

WHEREAS, the Town Board has referred the petition to the Riverhead Planning Board, such Planning board recommending approval of the application subject to certain conditions, and

WHEREAS, the Town Board referred the petition to the Suffolk County Planning Commission; such Planning commission determining the matter to be one of local determination, and

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

THEREFORE, BE IT

RESOLVED, that the Town board 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
* Villella 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 5th day of January, 1999 at 7:30 o'clock p.m. at 200 Howell Avenue, Riverhead, New York to hear all interested parties to consider the special permit petition of Joseph Tomashefsky to convert an existing structure to a thirty (30) seat restaurant on real property located on Route 25, Aquebogue, such real property more particularly described as Suffolk County Tax Map Number 0600-67-2-23.

DATED: December 15, 1998
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

December 15, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 1147

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING - SPECIAL PERMIT - CATHERINE TOKAR

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 of Catherine Tokar to allow the operation of a nursery school within a 2,000 square foot area of an existing commercial land use located at New York State Route 25A, Wading River, such real property more particularly described as Suffolk County Tax Map No. 0600-74-2-17.1, and

WHEREAS, by resolution 291 of 1998 the Town Board did declare itself to be the Lead Agency in this matter and did further determine the action to be Unlisted without a significant impact upon the environment, and

WHEREAS, the Riverhead Town Board has referred the petition to the Riverhead Planning board for its report and recommendation; such Planning Board recommending approval of the petition with conditions, and

WHEREAS, the Town Board desires to hold a public hearing on this petition, now

THEREFORE, BE IT

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

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
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 5th day of January, 1999 at 7:10 o'clock p.m. at 200 Howell Avenue, Riverhead, New York to hear all interested parties to consider the special permit petition of Catherine Tokar to allow the use of a 2,000 square foot commercial building as a nursery school, located at New York State Route 25A, Wading River, New York; such real property more particularly described as Suffolk County Tax Map Number 0600-74-2-17.1.

DATED: December 15, 1998
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

12/15/98

Adopted

TOWN OF RIVERHEAD

Resolution # 1148

APPROVES APPLICATION OF ASAP PROMOTIONS (OFFICE MAX GRAND OPENING CELEBRATION)

Councilman Lull offered the following resolution, was seconded by

Councilman Cardinale :

WHEREAS, ASAP Promotions has submitted an application for the purpose of conducting a grand opening celebration (balloons, red, white & blue pennants) for the Office Max Retail Store located at the Tanger II Outlet, Rte. 58, Riverhead, New York to be held on December 17, 1998 through December 26, 1998; and

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

NOW THEREFORE BE IT RESOLVED, that the application of ASAP Promotions for the purpose of conducting a grand opening celebration (balloons, red, white & blue pennants) for the Office Max Retail Store located at the Tanger II Outlet, Rte. 58, Riverhead, New York to be held on December 17, 1998 through December 26,; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to ASAP Promotions, 55 Tech View, Cincinnati, OH, 45215 and the Riverhead Police 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

December 15, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 1149

APPOINTS SCHOOL CROSSING GUARD TO THE POLICE DEPARTMENT

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

WHEREAS, due to the resignation of Marie Mooney, the position of School Crossing Guard exists in the Police Department; and

WHEREAS, pursuant to interviews, a recommendation has been made by the Chief of Police to hire Deon Henderson to this part-time position.

NOW, THEREFORE, BE IT RESOLVED, effective December 16, 1998, Deon Henderson is appointed the position of Crossing Guard at an hourly rate of pay of \$8.50; and

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

THE VOTE

Cardinale Yes No Kent Yes No
Kwasna Absent Yes No Lull Yes No
Vilella Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

ember 15, 1998

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1150

SENIOR CITIZEN SITE COUNCIL

BUDGET ADJUSTMENT

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

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

007.000000.390599	APPROPRIATED FUND BALANCE	FROM:	\$500.
007.067720.540000	CONTRACTUAL EXPENSES	TO:	\$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

12/15/98

Adopted

Town of Riverhead
Resolution #1151
Adopted 12/15/98

Authorizes Publication of Notice to Amend Community Development Block Grant Program

Councilman Cardinale offered the following resolution

which was seconded by Councilman Kent.

WHEREAS, the Town of Riverhead desires to amend its FY95, FY96 and FY98 Community Development Block Grant Program; and

WHEREAS, such an amendment requires notification to the public prior to submission of the amendment for transferring of funds and budget modification in order to provide an opportunity for comment.

THEREFORE, BE IT RESOLVED, the Town Clerk is hereby authorized to publish the attached notice in the News Review on Thursday, December 17th, 1998; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be provided to Andrea Lohneiss, Community Development Director and Joseph T. Sanseverino, Suffolk County Community Development Director, H. Lee Dennison Bldg, P.O. Box 6100, Hauppauge, New York 11788-0099.

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

PUBLIC NOTICE

The Town of Riverhead is proposing the following changes to the Community Development Block Grant Program:

Activity	Current	Proposed Change	Amended Budget
<u>FY95</u>			
Home Improvements	\$ 980.35	(\$ 980.35)	-0-
Street Improvements	\$ 1,950.36	(\$1,950.36)	-0-
Parking Facilities	\$ 335.73	(\$ 335.73)	-0-
<u>FY96</u>			
Acquisition	\$ 1,011.00	(\$1,011.00)	-0-
Public Improvements	\$ 1,762.37	(\$1,762.37)	-0-
<u>FY98</u>			
Acquisition	\$ 2,176.60	(\$2,176.60)	-0-
Demolition/ Clearance/ Disposal	\$ -0-	\$8,216.41	\$8,216.41

Interested citizens should address comments to:

Town of Riverhead
 Community Development Office
 200 Howell Avenue
 Riverhead, New York 11901
 727-3200, Ext. 287

December 15, 1998

Adopted

TOWN OF RIVERHEAD

1152

AUTHORIZES SUPERVISOR TO EXECUTE AN AGREEMENT WITH GARY ABRAHAMSEN, SOCCER REFEREE

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

BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute the Agreement with the Gary Abrahamson for the refereeing of PAL soccer games for 16 games dating Sept. 26 through November 21, for the total sum of \$480.00 (copy of agreement attached herewith); and

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

AGREEMENT

TWEEN

THE TOWN OF RIVERHEAD, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "TOWN", and GARY ABRAHAMSEN Partnership/corporation/limited liability partners with offices at 848 Pleasure Drive, Riverhead, NY, New York hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, the Town, in connection with its municipal operations, requires services consisting of the following:

SOCCER REFEREE

_____ ; and

WHEREAS, the Contractor is willing and able to provide the following services to the town:

Description of services: Refereeing PAL Soccer Games

Date(s) and hours of services: 16 games - September 26 - November 21, 1998

IT IS HEREBY AGREED, by the Town and Contractor as follows:

1. That Contractor shall provide and fully perform to the Town's satisfaction the mentioned services to the Town on the date(s) and for the time(s) stated above.
2. In return for Contractor's services, the Town shall pay Contractor as follows: The sum of four Hundred Eighty Dollars , (\$ 480.00) Dollars. That sum shall be payable when the Contractor performs the services described for the Town and after Contractor has filed

3. Pursuant to Section 109 of the General Municipal Law, this contract may not be assigned, transferred, conveyed, sublet or otherwise disposed of by the Contractor without previous written consent in writing of the Town.

dated: Riverhead, New York

11/24, 1998

TOWN OF RIVERHEAD

By: _____

CONTRACTOR

By: Sam H. Abdolameer

December 15, 1998

Adopted

TOWN OF RIVERHEAD

1153

AUTHORIZES SUPERVISOR TO EXECUTE AN AGREEMENT WITH JEAN CLAUDE HUBBARD, SOCCER REFEREE

Councilman Lull offered the following resolution, which was seconded by Councilman Cardinale

BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute the Agreement with the Jean Claude Hubbard for the refereeing of PAL soccer games for 10 games dating Sept. 26 through November 21, for the total sum of \$300.00 (copy of agreement attached herewith); and

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

THE VOTE

Cardinale Yes No Kent Yes No
Kwasna Yes No Lull Yes No
Vilella Yes No

THE RESOLUTION WAS X WAS NOT
THEREUPON DULY DECLARED ADOPTED

AGREEMENT

ETWEEN

THE TOWN OF RIVERHEAD, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "TOWN", and JEAN CLAUDE HUBBARD partnership/corporation/limited liability partners with offices at 170 Hubbard Avenue Riverhead, NY, New York hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, the Town, in connection with its municipal operations, requires services consisting of the following:

SOCCER REFEREE

_____ ; and

WHEREAS, the Contractor is willing and able to provide the following services to the town:

Description of services: Refereeing PAL Soccer Games

Date(s) and hours of services: 10 games - September 26 - November 21, 1998

IT IS HEREBY AGREED, by the Town and Contractor as follows:

1. That Contractor shall provide and fully perform to the Town's satisfaction the aforementioned services to the Town on the date(s) and for the time(s) stated above.
2. In return for Contractor's services, the Town shall pay Contractor as follows: The sum of Three Hundred Dollars, (\$ 300.00) Dollars. That sum shall be payable after the Contractor performs the services described for the Town and after Contractor has filed

the Town of Riverhead, vouchers and any other documents reasonably required for payment.

3. Pursuant to Section 109 of the General Municipal Law, this contract may not be assigned, transferred, conveyed, sublet or otherwise disposed of by the Contractor without previous written consent in writing of the Town.

at: Riverhead, New York

11/24/ _____, 19 98

TOWN OF RIVERHEAD

By: _____

CONTRACTOR

By: Jason Charles Allent _____

12/15/98

Adopted

TOWN OF RIVERHEAD

Resolution # 1154

ESTABLISHES THE TOWN OF RIVERHEAD CODE REVISION COMMITTEE

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

WHEREAS, the Riverhead Town Board has determined that a Riverhead Code Revision Committee be formed; and

WHEREAS, the Town Board wishes to have said committee examine each and every local law and ordinance contained in the Riverhead Town Code and make recommendations to the Riverhead Town Board to amend and/or revise certain provisions of the Riverhead Town Code.

NOW THEREFORE BE IT RESOLVED, that said committee shall consist of the following individuals who agree to act as members of the Riverhead code Revision Committee with no compensation:

Patricia Tormey, Chairperson
Stephen Palmer

Dick Roberts
Al Shields

and be it further

RESOLVED, that the Town Attorney shall serve as legal council to the Riverhead Code Revision Committee; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Patricia Tormey, Chairperson; Al Shields; Dick Roberts; Stephen Palmer and the Office of the Town Attorney.

THE VOTE

Cardinale	✓	Yes	No	Kent	✓	Yes	No
Kwaana		<i>Absent</i>		Lull	✓	Yes	No
Vilella	✓	Yes	No				

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

12/15/98

Adopted

TOWN OF RIVERHEAD

Resolution # 1155

APPOINTS THE LAW FIRM OF SINNREICH, WASSERMAN & GRUBIN, LLP AS SPECIAL COUNCEL

Councilman Kent offered the following resolution, was seconded by

Councilman Lull :

RESOLVED, that the Law Firm of Sinnreich, Wasserman & Grubin, LLP is hereby retained in connection with various legal proceedings for which he was previously retained on behalf of the Town of Riverhead; and be it further

RESOLVED, that the Supervisor of the Town of Riverhead be and is hereby authorized to enter into and execute the attached Retainer Agreement with Sinnreich, Wasserman & Grubin, LLP for the purposes set forth above; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Law Firm of Sinnreich, Wasserman & Grubin, LLP, 1700 Broadway, New York, New York, 10019; the Office of Accounting 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

RETAINER AGREEMENT

AGREEMENT made this _____ day of December, 1998, by and between the Town of Riverhead, 200 Howell Avenue, Riverhead, New York (hereinafter the Town), and Sinnreich, Wasserman & Grubin, LLP, 1700 Broadway, New York, New York, 10019 (hereinafter the Firm), pursuant to Resolution # _____ of the Town Board adopted on December 15, 1998 as follows:

1. The Town retains the Firm to provide the legal services described in said resolution.
2. The Town agrees to pay the Firm at an hourly rate of \$150 an hour for partners; \$125 an hour for associates and \$65 an hour for paralegals.
3. The Town shall reimburse the Firm for actual disbursements.

TOWN OF RIVERHEAD

By: _____
VINCENT G. VILLELLA
Town Supervisor

JONATHAN SINNREICH, ESQ.

12/15/98

Adopted

TOWN OF RIVERHEAD

Resolution # 1156

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE
(RIVERHEAD TOWN CODE REVISION COMMITTEE)**

Councilman Kent offered the following resolution, was seconded by

Councilman Lull :

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice once in the December 24, 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 public notice 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 Patricia Tormey, Dick Roberts, Al Shields; Sergeant Palmer and Adam Grossman, 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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, there will be a Town of Riverhead Code Revision Committee meeting to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on Wednesday, January 6, 1999 at 7:00 o'clock p.m.

Dated: Riverhead, New York
December 15, 1998

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, in Riverhead, New York, in said Town, on the 5th day of January, 1999, at 7:10 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing for the specific object or purpose of paying the cost of the increase and improvement of the facilities of Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, within said Town, consisting of the reconstruction of and construction of additions to the new wastewater treatment plant, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$8,100,000.

Said project has been determined to be an unlisted Action for purposes of the State Environmental Quality Review Act which as proposed, the Town Board has determined will not result in any significant environmental effects.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
December 15, 1998

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

By: Barbara Grattan
Town Clerk

Adopted

RESOLUTION 1157

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72113-

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

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 15 day of December, 1998, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor

Councilman

Councilman

Councilman

Councilman

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

ORDER CALLING
PUBLIC HEARING

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

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

facilities of the Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, consisting of the reconstruction of and construction of additions to the wastewater treatment plant, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$8,100,000; and

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

WHEREAS, it is now desired to call a public hearing on the question of authorizing such increase and improvement of facilities at the maximum estimated cost of \$8,100,000; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 5th day of January, ¹⁹⁹⁹~~1998~~, at 7:10 o'clock P.M., Prevailing Time, on the question of increasing and improving the facilities of The Riverhead Sewer District in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in The News Review, the official newspaper of said Town, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

Section 4. This Order shall take effect immediately.

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

<u>SUPERVISOR VILLELLA</u>	VOTING	<u>YES</u>
<u>COUNCILMAN KENT</u>	VOTING	<u>YES</u>
<u>COUNCILMAN KWASNA</u>	VOTING	<u>ABSENT</u>
<u>COUNCILMAN LULL</u>	VOTING	<u>YES</u>
<u>COUNCILMAN CARDINALE</u>	VOTING	<u>YES</u>

The Order was thereupon declared duly adopted.

* * * * *

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the order contained therein, held on the 15th day of December, 1998, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

<u>Newspaper and/or other news media</u>	<u>Date given</u>
--	-------------------

TIMES REVIEW

DECEMBER 18, 1998

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

<u>Designated Location(s) of posted notice</u>	<u>Date of Posting</u>
TOWN CLERK'S BULLETIN BOARD	DECEMBER 16, 1998

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 16th day of December, 1998.

Barbara Galtton
Town Clerk

(CORPORATE
SEAL)

12/15/98

TOWN OF RIVERHEAD

RESOLUTION NO. 1158

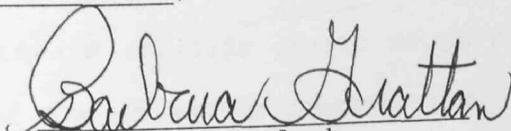
AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST LEGAL NOTICE OF ESTOPPEL-
A RESOLUTION AUTHORIZING THE ISSUANCE OF \$57,000 SERIAL BONDS OF THE
TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE
PURCHASE AND INSTALLATION OF A REPLACEMENT GENERATOR IN THE POLICE
STATION BUILDING IN AND FOR SAID TOWN.

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town of Riverhead, Suffolk County, New York, on the 20th day of October, 1998, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. Such resolution was subject to a permissive referendum and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.

Dated: Riverhead, New York,
DECEMBER 15, 1998.


Town Clerk

BOND RESOLUTION DATED OCTOBER 20, 1998.

Adopted

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$57,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK. TO PAY THE COST OF THE PURCHASE AND INSTALLATION OF A REPLACEMENT GENERATOR IN THE POLICE STATION BUILDING IN AND FOR SAID TOWN.

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

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

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

Section 1. For the specific object or purpose of paying the cost of the purchase and installation of a replacement generator in the Police Station building, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$57,000 serial bonds of the Town of Riverhead, Suffolk County, New York.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$57,000, and that the plan for the financing thereof is by the issuance of the

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

\$57,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforescribed specific object or purpose is ten years, pursuant to subdivision 13 of paragraph a of Section 11.30 of the Local Finance Law.

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

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

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

or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

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

Section 8. All other matters, except as provided herein relating to such bonds, including whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is

to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph 1 of section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

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

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

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

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

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

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

Section 11. Upon this resolution taking effect, the same shall be published in full in Times Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 31.00 of the Local Finance Law.

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

12/15/98

TOWN OF RIVERHEAD

RESOLUTION NO. 1159

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST LEGAL NOTICE OF ESTOPPEL-A RESOLUTION AUTHORIZING THE ISSUANCE OF \$190,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK TO PAY THE COST OF THE RECONSTRUCTION OF TOWN HALL ON HOWELL AVENUE IN AND SAID TOWN.

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town of Riverhead, Suffolk County, New York, on the 20th day of October, 1998, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. Such resolution was subject to a permissive referendum and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.

Dated: Riverhead, New York,
December 15, _____, 1998.

Town Clerk

Resolution #1159

BOND RESOLUTION DATED OCTOBER 20, 1996.

Adopted

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$170,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF TOWN HALL ON HOWELL AVENUE IN AND FOR SAID TOWN.

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

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

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

Section 1. For the specific object or purpose of paying the cost of the reconstruction of Town Hall on Howell Avenue, in and for the Town of Riverhead, Suffolk County, New York, including original furnishings, equipment, machinery apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$170,000 serial bonds of the Town of Riverhead, Suffolk County, New York.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$170,000, and that the plan for the financing thereof is by the issuance of the

THE VOTE

Cardinale [checked] Yes [] No Kent [checked] Yes [] No
Kwasna [checked] Yes [] No Lull [checked] Yes [] No
Vilella [checked] Yes [] No

THE RESOLUTION WAS [checked] WAS NOT
THEREUPON DULY DECLARED ADOPTED

\$170,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforescribed specific object or purpose is fifteen years, pursuant to subdivision 12(a)(2) of paragraph 4 of Section 11.00 of the Local Finance Law.

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

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

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

or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

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

Section 8. All other matters, except as provided herein relating to such bonds, including whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is

to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

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

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

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

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

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

Section 11. Upon this resolution taking effect, the same shall be published in full in Times Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 21.00 of the Local Finance Law.

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

12/15/98

TOWN OF RIVERHEAD

RESOLUTION NO. 1160

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST LEGAL NOTICE OF ESTOPPEL-A RESOLUTION AUTHORIZING THE ISSUANCE OF \$78,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK TO PAY THE COST OF THE RECONSTRUCTION OF THE PARKING LOT AT TOWN HALL ON HOWELL AVENUE IN AND FOR SAID TOWN.

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town of Riverhead, Suffolk County, New York, on the 20th day of October, 1998, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. Such resolution was subject to a permissive referendum and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.

Dated: Riverhead, New York,
December 15, , 1998.

BARBARA GRATTAN
Town Clerk

\$78,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforescribed class of objects or purposes is ten years, pursuant to subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law.

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

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

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

or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

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

Section 3. All other matters, except as provided herein relating to such bonds, including whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is

to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

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

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

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

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

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

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

Section 11. Upon this resolution taking effect, the same shall be published in full in Times Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

12/15/98

TOWN OF RIVERHEAD

RESOLUTION NO. 1161

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST LEGAL NOTICE OF ESTOPPEL-A RESOLUTION AUTHORIZING THE ISSUANCE OF \$75,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF THE ROOF OF THE HIGHWAY BARN/ADMINISTRATIVE OFFICE BARN ON OSBORNE AVENUE IN AND FOR SAID TOWN.

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town of Riverhead, Suffolk County, New York, on the 20th day of October, 1998, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. Such resolution was subject to a permissive referendum and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.

Dated: Riverhead, New York,
December 15, 1998.

Barbara Grattan
Town Clerk

BOND RESOLUTION DATED OCTOBER 20, 1993.

Adopted

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$75,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY COSTS OF THE RECONSTRUCTION OF THE ROOF OF THE HIGHWAY BARN/ADMINISTRATIVE OFFICE BARN ON OSBORNE AVENUE IN AND FOR SAID TOWN.

Councilman Lull offered the following resolution; Cardinale seconded

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

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

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

Section 1. For the specific object or purpose of paying the cost of the reconstruction of the roof of the Highway barn/administrative office building on Osborne Avenue, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$75,000 serial bonds of the Town of Riverhead, Suffolk County, New York.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$75,000, and that the plan for the financing thereof is by the issuance of the

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

\$75,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

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

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

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

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

or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

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

Section 8. All other matters, except as provided herein relating to such bonds, including whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues shall be determined by the Supervisor. It is hereby determined that it is

to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

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

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

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

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

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

- 5 -

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

Section 11. Upon this resolution taking effect, the same shall be published in full in Times Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

12/15/98

TOWN OF RIVERHEAD

RESOLUTION NO. 1162

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST LEGAL NOTICE OF ESTOPPEL-A RESOLUTION AUTHORIZING THE ISSUANCE OF \$170,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF A NEW PARKING LOT ON A TOWN-OWNED PARCEL OF LAND CONTIGUOUS WITH THE TOWN HALL ON HOWELL AVENUE IN AND FOR SAID TOWN.

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town of Riverhead, Suffolk County, New York, on the 20th day of October, 1998, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. Such resolution was subject to a permissive referendum and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.

Dated: Riverhead, New York,
December 15, 1998.

Barbara Grattgn
Town Clerk

BOND RESOLUTION DATED OCTOBER 20, 1998.

Adopted

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$170,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY COSTS OF THE CONSTRUCTION OF A NEW PARKING LOT ON A TOWN-OWNED PARCEL OF LAND CONTIGUOUS WITH THE TOWN HALL ON HOWELL AVENUE IN AND FOR SAID TOWN.

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

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

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

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

Section 1. For the specific object or purpose of paying the cost of the construction of a new parking lot on a Town-owned parcel of land contiguous with the Town Hall on Howell Avenue, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$170,000 serial bonds of the Town of Riverhead, Suffolk County, New York.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$170,000, and that the plan for the financing thereof is by the issuance of the \$170,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

THE VOTE

Cardinale Yes No *absent* Kent Yes No
Kwasna Yes No Lull Yes No

Villella Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Section 3. It is hereby determined that the period of probable usefulness of the aforescribed specific object or purpose is ten years, pursuant to subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law.

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

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

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

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

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

-1-

mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

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

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

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

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

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

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

Section 11. Upon this resolution taking effect, the same shall be published in full in Times Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

12/15/98

Adopted

TOWN OF RIVERHEAD

Resolution # 1163

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

Councilman Kent offered the following resolution,

which was seconded by Councilman Lull

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute a Lease Agreement between the New York State Armory and the Riverhead Recreation Department for the use of the New York State Armory Building's drill hall, first floor class room, and bathrooms, located at 1405 Old Country Road, Riverhead, New York for the period of one (1) year commencing on January 4, 1999 and ending on December 22, 1999 at the annual sum of \$14,993.46 and be it further

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

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 type="checkbox"/>	Yes	<input type="checkbox"/>	No					

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

December 15, 1998

TOWN OF RIVERHEAD

Resolution # 1164

APPROVES SITE PLAN OF THE INN AT EASTWIND

_____ Councilman Lull _____ offered the following resolution,

which was seconded by _____ Councilman Kent _____:

WHEREAS, a site plan and elevations were submitted by Kenney Barra, for the construction of a 50 room country inn complex, including a 250 seat restaurant, 15,000 square foot catering facility, 3900 square feet of retail, and attendant site improvements, located at the north side of NYS Route 25A and the south side of Sound Avenue, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-76-1-4; and

WHEREAS, the Planning Department has reviewed the site plan dated last November 13, 1998, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated March 10, 1998, as prepared by Angelo S. Nicosia, P.E., 149 North Country Road, Port Jefferson NY 11777, 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) Unlisted 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 98-18314 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 Kenney Barra, for the construction of a 50 room country inn complex, including a 250 seat restaurant, 15,000 square foot catering facility, 3900 square feet of retail, and attendant site improvements,

located at the north side of NYS Route 25A and the south side of Sound Avenue, Wading River, New York, site plan dated last November 13, 1998, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated March 10, 1998, as prepared by Angelo S. Nicosia, P.E., 149 North Country Road, Port Jefferson NY 11777, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

Riverhead to enter premises at the north side of NYS Route 25A and the south side of Sound Avenue, Wading River, 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 this approval shall be subject to the provision of a described easement, in recordable form and acceptable to the Town Attorney, prior to the issuance of a building permit, for the "proposed easement" between the subject parcel and the site adjacent to the east;
16. That all street trees shall be a minimum of 2 ½ - 3" caliper; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenney Barra, Young & Young, Angelo S. Nicosia, P.E., Peter S. Danowski, Jr., Esq., the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1998, made by Happy Land Associates, residing at 150 Marcus Blvd., Hauppauge NY 11788, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. *Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;*
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Happy Land Associates hereby authorizes and consents to the Town of Riverhead to enter premises at the north side of NYS Route 25A and the south side of Sound Avenue, Wading River, 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 this approval shall be subject to the provision of a described easement, in recordable form and acceptable to the Town Attorney, prior to the issuance of a building permit, for the "proposed easement" between the subject parcel and the site adjacent to the east;

15. That all street trees shall be a minimum of 2 1/2 - 3" caliper.

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

HAPPY LAND ASSOCIATES

By: _____

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of _____, 1998, before me personally came _____, to me known, and known to me to be one of the members of the firm of _____, described in and who executed the foregoing instrument, and (s)he acknowledged to me that (s)he executed the same as and for the act and deed of said firm.

NOTARY PUBLIC

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.

Adopted

NOTARY

PUBLIC

RESOLUTION

Resolved, That

Resolved, That

WHEREAS, On the 1st day of March 1964, the Board of Directors of the City of Los Angeles, California, adopted the following resolution:

WHEREAS, It is the policy of the City of Los Angeles to provide for the most efficient and economical operation of its various departments and agencies;

AND WHEREAS, It is the policy of the City of Los Angeles to provide for the most efficient and economical operation of its various departments and agencies;

AND WHEREAS, It is the policy of the City of Los Angeles to provide for the most efficient and economical operation of its various departments and agencies;

AND WHEREAS, It is the policy of the City of Los Angeles to provide for the most efficient and economical operation of its various departments and agencies;

AND WHEREAS, It is the policy of the City of Los Angeles to provide for the most efficient and economical operation of its various departments and agencies;

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

12/15/98

Adopted

TOWN OF RIVERHEAD

Resolution # 1165

EXTENDS TERM OF TEMPORARY MINI BUS DRIVER
FROM 60 DAYS TO 90 DAYS

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

WHEREAS, due to a serious illness of an Employee in the Senior's Department the position of Mini Bus Driver temporarily exists; and

WHEREAS, Jason Hubbard had been appointed as a 60 day temporary Mini Bus Driver to fill this vacancy and;

WHEREAS, the employee will not be returning to work in the time frame expected, therefore we now need to extend Jason Hubbard's term for an additional 30 days.

NOW, THEREFORE, BE IT RESOLVED, that effective immediately Jason Hubbard's temporary appointment is now extended to January 17, 1999 at the hourly rate of \$9.75; and

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

RESOLUTION # 1166 ABSTRACT #49-98 DECEMBER 3, 1998 (TBM 12/15/98)

COUNCILMAN CARDINALE offered the following Resolution which was seconded by				
COUNCILMAN KENT				
FUND NAME		CD-11/30/98	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 75,000.00	\$ 912,674.30	\$ 987,674.30
PARKING METER	002	\$ 12,000.00	\$ -	\$ 12,000.00
AMBULANCE	003	\$ 12,000.00	\$ -	\$ 12,000.00
POLICE ATHLETIC LEAGUE	004	\$ 2,500.00	\$ 311.67	\$ 2,811.67
TEEN CENTER	005	\$ 2,500.00	\$ 200.00	\$ 2,700.00
RECREATION PROGRAM	006	\$ 100,000.00	\$ 621.38	\$ 100,621.38
SR NUTRITION SITE COUNCIL	007	\$ 1,500.00	\$ -	\$ 1,500.00
D.A.R.E. PROGRAM FUND	008	\$ 750.00	\$ -	\$ 750.00
CHILD CARE CENTER BUILDING FUND	009	\$ 25,000.00	\$ 118.75	\$ 25,118.75
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 1,406.15	\$ 1,406.15
HIGHWAY	111	\$ 150,000.00	\$ 74,898.51	\$ 224,898.51
WATER	112	\$ 1,200,000.00	\$ 72,736.39	\$ 1,272,736.39
REPAIR & MAINTENANCE	113	\$ 75,000.00	\$ -	\$ 75,000.00
SEWER	114	\$ 350,000.00	\$ 20,421.22	\$ 370,421.22
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 140,902.03	\$ 140,902.03
STREET LIGHTING DISTRICT	116	\$ -	\$ 8,336.33	\$ 8,336.33
PUBLIC PARKING DISTRICT	117	\$ 2,000.00	\$ 3,983.81	\$ 5,983.81
BUSINESS IMPROVEMENT DISTRICT	118	\$ 10,000.00	\$ 205.32	\$ 10,205.32
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ 300,000.00	\$ -	\$ 300,000.00
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ 2,500.00	\$ -	\$ 2,500.00
UNEMPLOYMENT INSURANCE FUND	176	\$ 2,000.00	\$ -	\$ 2,000.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 8,569.29	\$ 8,569.29
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT SERVICE	381	\$ 7,500.00	\$ -	\$ 7,500.00
SEWER DISTRICT DEBT SERVICE	382	\$ 50,000.00	\$ -	\$ 50,000.00
WATER DEBT SERVICE	383	\$ 30,000.00	\$ -	\$ 30,000.00
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ 125,000.00	\$ -	\$ 125,000.00
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ 189,500.00	\$ 180,519.58	\$ 370,019.58
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 200,000.00	\$ -	\$ 200,000.00
YOUTH SERVICES	452	\$ -	\$ 1,841.76	\$ 1,841.76
SENIORS HELPING SENIORS	453	\$ -	\$ 1,715.33	\$ 1,715.33
EISEP	454	\$ -	\$ 713.17	\$ 713.17
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL	625	\$ 175,000.00	\$ 15,323.18	\$ 190,323.18
MUNICIPAL GARAGE	626	\$ 10,000.00	\$ 3,244.19	\$ 13,244.19
TRUST & AGENCY	735	\$ -	\$ 905,026.81	\$ 905,026.81
SPECIAL TRUST	736	\$ 75,000.00	\$ -	\$ 75,000.00
CDA-CALVERTON	914	\$ 20,000.00	\$ 4,743.25	\$ 24,743.25
COMMUNITY DEVELOPMENT AGENCY	915	\$ 5,000.00	\$ -	\$ 5,000.00
JOINT SCAVENGER WASTE	918	\$ -	\$ 9,510.01	\$ 9,510.01
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 3,209,750.00	\$ 2,366,021.43	\$ 5,575,771.43

RESOLUTION # <u>1166</u> ABSTRACT #50-98 DECEMBER 10, 1998 (TBM 12/15/98)				
COUNCILMAN CARDINALE offered the following Resolution which was seconded by				
COUNCILMAN KENT				
FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 43,471.05	\$ 43,471.05
PARKING METER	002	\$ -	\$ 35.09	\$ 35.09
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ 1,975.00	\$ 1,975.00
SR NUTRITION SITE COUNCIL	007	\$ -	\$ 1,500.00	\$ 1,500.00
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ 3,229.88	\$ 3,229.88
WATER	112	\$ -	\$ 6,499.75	\$ 6,499.75
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
SEWER	114	\$ -	\$ 2,340.85	\$ 2,340.85
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 14,218.25	\$ 14,218.25
STREET LIGHTING DISTRICT	116	\$ -	\$ 48.38	\$ 48.38
PUBLIC PARKING DISTRICT	117	\$ -	\$ 1,738.40	\$ 1,738.40
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 5,829.85	\$ 5,829.85
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ -	\$ 10,975.13	\$ 10,975.13
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ 23,459.44	\$ 23,459.44
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 199.86	\$ 199.86
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT SERVICE	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT SERVICE	382	\$ -	\$ 2,419.47	\$ 2,419.47
WATER DEBT SERVICE	383	\$ -	\$ 136,103.14	\$ 136,103.14
GENERAL FUND DEBT SERVICE	384	\$ -	\$ 114,541.14	\$ 114,541.14
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 236,195.36	\$ 236,195.36
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	461	\$ -	\$ -	\$ -
YOUTH SERVICES	462	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	463	\$ -	\$ -	\$ -
EISEP	464	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL	625	\$ -	\$ 2,256.87	\$ 2,256.87
MUNICIPAL GARAGE	628	\$ -	\$ 1,391.90	\$ 1,391.90
TRUST & AGENCY	735	\$ -	\$ 286,875.25	\$ 286,875.25
SPECIAL TRUST	736	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 119,751.81	\$ 119,751.81
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 190,219.77	\$ 190,219.77
JOINT SCAVENGER WASTE	918	\$ -	\$ 11,429.68	\$ 11,429.68
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 1,216,705.32	\$ 1,216,705.32

THE VOTE

Cardinale Yes No Abstain
 Kent Yes No Abstain
 Kwasna Yes No Abstain
 Villella Yes No Abstain

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY DECLARED ADOPTED